

2C:58-4 and 2C:58-4.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 2C:58-4 and 2C:58-4.1

(Armored car company employees--weapons--permits--exclusive jurisdiction of Supt. of State Police)
CHAPTER 135

LAWS 1981

Bill No. A1470

Sponsor(s) Rand

Date Introduced April 17, 1981

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage Yes

XX Amendments during passage denoted by asterisks

Date of Passage: Assembly Nov 10, 1980

Senate Feb. 26, 1981

Date of approval May 4, 1981

Following statements are attached if available:

Sponsor statement	Yes	XX (Below)
Committee Statement: Assembly	Yes	XX
Senate	Yes	XX
Fiscal Note	XXX	No
Veto Message	XXX	No
Message on signing	XXX Yes	XX

Following were printed:

Reports	XXX	No
Hearings	XXX	No

Sponsor's Statement

This bill would give the Superintendent of State Police exclusive jurisdiction over issuance of permits to carry handguns by employees of armored car companies and require endorsement of applications by the chief executive of the employer armored car company and notification of employment termination of applicants.

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ASSEMBLY, No. 1470

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1980

By Assemblyman RAND

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning issuance of permits to carry handguns by
employees of armored car companies, amending N. J. S. 2C:58-4
and supplementing chapter 58 of Title 2C of the New Jersey
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 2C:58-4 is amended to read as follows:

2 2C:58-4. Permits to Carry Handguns. a. Scope and duration
3 of authority. Any person who holds a valid permit to carry a hand-
4 gun issued pursuant to this section shall be authorized to carry a
5 handgun in all parts of this State, except as prohibited by section
6 2C:39-5e. One permit shall be sufficient for all handguns owned
7 by the holder thereof, but the permit shall apply only to a handgun
8 carried by the actual and legal holder of the permit.

9 All permits to carry handguns shall expire 2 years from the
10 date of issuance or, *in the case of an employee of an armored car*
11 *company, until termination of his employment by the company*
12 *occurring prior thereto*, and they may thereafter be renewed every
13 2 years in the same manner and subject to the same conditions as
14 in the case of original applications.

15 b. Application forms. All applications for permits to carry
16 handguns, and all applications for renewal of such permits, shall
17 be made on the forms prescribed by the superintendent. Each
18 application shall set forth the full name, date of birth, sex, resi-
19 dence, occupation, place of business or employment, and physical
20 description of the applicant, and such other information as the
21 superintendent may prescribe for the determination of the appli-
22 cant's eligibility for a permit and for the proper enforcement of
23 this chapter. The application shall be signed by the applicant under
24 oath, and shall be indorsed by three reputable persons who have
25 known the applicant for at least 3 years preceding the date of

26 application, and who shall certify thereon that the applicant is
27 a person of good moral character and behavior.

28 c. Investigation and approval. Each application shall in the first
29 instance be submitted to the chief police officer of the municipality
30 in which the applicant resides, or to the superintendent, (1) if the
31 applicant is an employee of an armored car company, or (2) if
32 there is no chief police officer in the municipality where the appli-
33 cant resides, or (3) if the applicant does not reside in this State.
34 The chief police officer, or the superintendent, as the case may be,
35 shall cause the fingerprints of the applicant to be taken and com-
36 pared with any and all records maintained by the municipality,
37 the county in which it is located, the State Bureau of Identification
38 and the Federal Bureau of Identification. He shall also determine
39 and record a complete description of each handgun the applicant
40 intends to carry.

41 No application shall be approved by the chief police officer or
42 the superintendent unless the applicant demonstrates that he is
43 not subject to any of the disabilities set forth in 20:58-3c., that
44 he is thoroughly familiar with the safe handling and use of hand-
45 guns, and that he has a justifiable need to carry a handgun. If the
46 application is not approved by the chief police officer or the super-
47 intendent within 60 days of filing, it shall be deemed to have been
48 approved, unless the applicant agrees to an extension of time in
49 writing.

50 d. Issuance by Superior Court; fee. If the application has been
51 approved by the chief police officer or the superintendent, as the
52 case may be, the applicant shall forthwith present it to the Superior
53 Court of the county in which the applicant resides, or to the
54 Superior Court in any county where he intends to carry a handgun,
55 in the case of a nonresident or employee of an armored car com-
56 pany. The court shall issue the permit to the applicant if, but only
57 if, it is satisfied that the applicant is a person of good character
58 who is not subject to any of the disabilities set forth in section
59 20:58-3c., that he is thoroughly familiar with the safe handling
60 and use of handguns, and that he has a justifiable need to carry a
61 handgun. The court may at its discretion issue a limited-type
62 permit which would restrict the applicant as to the types of hand-
63 guns he may carry and where and for what purposes such handguns
64 may be carried. At the time of issuance, the applicant shall pay
65 to the county clerk of the county where the permit was issued a
66 permit fee of \$20.00.

67 e. Appeals from denial of applications. Any person aggrieved by
68 the denial by the chief police officer or the superintendent of ap-

69 proval for a permit to carry a handgun may request a hearing in
70 the Superior Court of the county in which he resides or in any
71 county in which he intends to carry a handgun, in the case of a
72 nonresident, by filing a written request for such a hearing within
73 30 days of the denial. Copies of the request shall be served upon
74 the superintendent, the county prosecutor and the chief police
75 officer of the municipality where the applicant resides, if he is a
76 resident of this State. The hearing shall be held within 30 days of
77 the filing of the request, and no formal pleading or filing fee shall
78 be required. Appeals from the determination at such a hearing
79 shall be in accordance with law and the rules governing the courts
80 of this State.

81 If the superintendent or chief police officer approves an appli-
82 cation and the Superior Court denies the application and refuses
83 to issue a permit, the applicant may appeal such denial in accord-
84 ance with law and the rules governing the courts of this State.

85 f. Revocation of permits. Any permit issued under this section
86 shall be void at such time as the holder thereof becomes subject
87 to any of the disabilities set forth in section 2C:58-3c., and the
88 holder of such a void permit shall immediately surrender the per-
89 mit to the superintendent who shall give notice to the licensing
90 authority.

91 Any permit may be revoked by the Superior Court, after hearing
92 upon notice to the holder, if the court finds that the holder is no
93 longer qualified for the issuance of such a permit. The county
94 prosecutor of any county, the chief police officer of any municipality,
95 the superintendent or any citizen may apply to the court at any
96 time for the revocation of any permit issued pursuant to this section.

1 2. (New section) In addition to the requirements of N. J. S.
2 2C:58-4 any application to carry a handgun by an employee of an
3 armored car company shall be accompanied by a letter from the
4 chief executive officer of the armored car company verifying
5 employment of the applicant, endorsing approval of the application,
6 and agreeing to notify the superintendent forthwith upon the termi-
7 nation of employee of any person to whom a permit is issued.

1 3. (New section) Permits to carry a handgun heretofore issued
2 to an employee of an armored car company shall remain valid for
3 the period for which issued.

1 4. This act shall take effect on the first day of the calendar month
2 occurring not less than 30 days following enactment.

STATEMENT

This bill would give the Superintendent of State Police exclusive jurisdiction over issuance of permits to carry handguns by employees of armored car companies and require endorsement of applications by the chief executive of the employer armored car company and notification of employment termination of applicants.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1470

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 16, 1980

The purpose of this bill as amended is to centralize jurisdiction over issuance of permits to carry handguns by employees of armored car companies under the Superintendent of the State Police. The bill would require endorsement of applications for the permits by the chief executive of the employer armored car company. Assembly committee amendments would make the permits valid for 2 years or for the duration of the applicant's employment with that employer whichever is less. The employer would then have to notify the superintendent upon termination of the employee and surrender the employee's permit to the superintendent.

ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 1470

STATE OF NEW JERSEY

ADOPTED OCTOBER 16, 1980

Amend page 1, section 1, line 11, omit "until", insert "upon".

Amend page 1, section 1, line 12, after "thereto," insert "whichever is earlier in time".

Amend page 3, section 2, line 3, omit "lettter", insert "letter".

Amend page 3, section 2, line 5, after "applicant", omit ",", insert ","; after "application", omit ",", insert ",".

Amend page 3, section 2, line 7, after "nation of", insert "the"; after "issued", insert "and to obtain from the employee the permit which shall thereupon be surrendered to the superintendent".

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1470

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1980

By Assemblyman RAND

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning issuance of permits to carry handguns by employees of armored car companies, amending N. J. S. 2C:58-4 and supplementing chapter 58 of Title 2C of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 2C:58-4 is amended to read as follows:

2 2C:58-4. Permits to Carry Handguns. a. Scope and duration
3 of authority. Any person who holds a valid permit to carry a hand-
4 gun issued pursuant to this section shall be authorized to carry a
5 handgun in all parts of this State, except as prohibited by section
6 2C:39-5e. One permit shall be sufficient for all handguns owned
7 by the holder thereof, but the permit shall apply only to a handgun
8 carried by the actual and legal holder of the permit.

9 All permits to carry handguns shall expire 2 years from the
10 date of issuance *or, in the case of an employee of an armored car*
11 *company, **[until]** *upon* termination of his employment by the*
12 *company occurring prior thereto *whichever is earlier in time**, and
13 they may thereafter be renewed every 2 years in the same manner
14 and subject to the same conditions as in the case of original
14A applications.

15 b. Application forms. All applications for permits to carry
16 handguns, and all applications for renewal of such permits, shall
17 be made on the forms prescribed by the superintendent. Each
18 application shall set forth the full name, date of birth, sex, resi-
19 dence, occupation, place of business or employment, and physical
20 description of the applicant, and such other information as the
21 superintendent may prescribe for the determination of the appli-
22 cant's eligibility for a permit and for the proper enforcement of
23 this chapter. The application shall be signed by the applicant under

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

24 oath, and shall be indorsed by three reputable persons who have
25 known the applicant for at least 3 years preceding the date of
26 application, and who shall certify thereon that the applicant is
27 a person of good moral character and behavior.

28 **c. Investigation and approval.** Each application shall in the first
29 instance be submitted to the chief police officer of the municipality
30 in which the applicant resides, or to the superintendent, (1) if the
31 applicant is an employee of an armored car company, or (2) if
32 there is no chief police officer in the municipality where the appli-
33 cant resides, or (3) if the applicant does not reside in this State.
34 The chief police officer, or the superintendent, as the case may be,
35 shall cause the fingerprints of the applicant to be taken and com-
36 pared with any and all records maintained by the municipality,
37 the county in which it is located, the State Bureau of Identification
38 and the Federal Bureau of Identification. He shall also determine
39 and record a complete description of each handgun the applicant
40 intends to carry.

41 No application shall be approved by the chief police officer or
42 the superintendent unless the applicant demonstrates that he is
43 not subject to any of the disabilities set forth in 2C:58-3c., that
44 he is thoroughly familiar with the safe handling and use of hand-
45 guns, and that he has a justifiable need to carry a handgun. If the
46 application is not approved by the chief police officer or the super-
47 intendent within 60 days of filing, it shall be deemed to have been
48 approved, unless the applicant agrees to an extension of time in
49 writing.

50 **d. Issuance by Superior Court; fee.** If the application has been
51 approved by the chief police officer or the superintendent, as the
52 case may be, the applicant shall forthwith present it to the Superior
53 Court of the county in which the applicant resides, or to the
54 Superior Court in any county where he intends to carry a handgun,
55 in the case of a nonresident or employee of an armored car com-
56 pany. The court shall issue the permit to the applicant if, but only
57 if, it is satisfied that the applicant is a person of good character
58 who is not subject to any of the disabilities set forth in section
59 2C:58-3c., that he is thoroughly familiar with the safe handling
60 and use of handguns, and that he has a justifiable need to carry a
61 handgun. The court may at its discretion issue a limited-type
62 permit which would restrict the applicant as to the types of hand-
63 guns he may carry and where and for what purposes such handguns
64 may be carried. At the time of issuance, the applicant shall pay
65 to the county clerk of the county where the permit was issued a
66 permit fee of \$20.00.

67 e. Appeals from denial of applications. Any person aggrieved by
 68 the denial by the chief police officer or the superintendent of ap-
 69 proval for a permit to carry a handgun may request a hearing in
 70 the Superior Court of the county in which he resides or in any
 71 county in which he intends to carry a handgun, in the case of a
 72 nonresident, by filing a written request for such a hearing within
 73 30 days of the denial. Copies of the request shall be served upon
 74 the superintendent, the county prosecutor and the chief police
 75 officer of the municipality where the applicant resides, if he is a
 76 resident of this State. The hearing shall be held within 30 days of
 77 the filing of the request, and no formal pleading or filing fee shall
 78 be required. Appeals from the determination at such a hearing
 79 shall be in accordance with law and the rules governing the courts
 80 of this State.

81 If the superintendent or chief police officer approves an appli-
 82 cation and the Superior Court denies the application and refuses
 83 to issue a permit, the applicant may appeal such denial in accord-
 84 ance with law and the rules governing the courts of this State.

85 f. Revocation of permits. Any permit issued under this section
 86 shall be void at such time as the holder thereof becomes subject
 87 to any of the disabilities set forth in section 2C:58-3c., and the
 88 holder of such a void permit shall immediately surrender the per-
 89 mit to the superintendent who shall give notice to the licensing
 90 authority.

91 Any permit may be revoked by the Superior Court, after hearing
 92 upon notice to the holder, if the court finds that the holder is no
 93 longer qualified for the issuance of such a permit. The county
 94 prosecutor of any county, the chief police officer of any municipality,
 95 the superintendent or any citizen may apply to the court at any
 96 time for the revocation of any permit issued pursuant to this section.

1 2. (New section) In addition to the requirements of N. J. S.
 2 2C:58-4 any application to carry a handgun by an employee of an
 3 armored car company shall be accompanied by a ***[letter]***
 4 *letter* from the chief executive officer of the armored car company
 5 verifying employment of the applicant***[,]*** *;* endorsing approval
 6 of the application***[,]*** *;* and agreeing to notify the superin-
 7 tendent forthwith upon the termination of *the* employee of any
 8 person to whom a permit is issued *and to obtain from the employee*
 9 *the permit which shall thereupon be surrendered to the superin-*
 10 *tendent*.*

1 3. (New section) Permits to carry a handgun heretofore issued
 2 to an employee of an armored car company shall remain valid for
 3 the period for which issued.

1 4. This act shall take effect on the first day of the calendar month
 2 occurring not less than 30 days following enactment.

SENATE COMMITTEE
STATEMENT TO
ASSEMBLY, No. 1470

STATE OF NEW JERSEY

DATED: FEBRUARY 2, 1981

Presently each employee of an armored car company must apply to the chief of police of the municipality in which he resides in order to obtain a permit to carry a handgun. The only exceptions are for those employees living in municipalities without a police chief or who are out of State residents. These employees apply to the State Police for permits. This procedure often proves cumbersome for armored car companies with employees residing in many different municipalities. Therefore, A-1470 would centralize authority for issuance of permits to carry handguns for employees of armored car companies in the State Police.

A-1470 would also require the endorsement of applications for permits by the chief executive of the armored car company. Further, A-1470 provides that such permits validity would cease upon termination of the applicant's employment and that the employer would have to notify the State Police upon termination of an employee and surrender the employee's permit.

A-1470 is supported by the Division of Criminal Justice and the State Police.

MAY 4, 1981

2

"Invalid coach services" are transportation services to bring non-ambulatory Medicaid patients to hospitals, doctors, clinics, treatment centers, rehabilitation centers, etc.

This bill will provide the Department of Health with the necessary authority to establish standards and requirements for invalid coach services, while the Department of Human Services pays for the services under the Medicaid program.

A-1470, sponsored by Assemblyman Walter Rand (D-Camden), which amends the current handgun permit provisions for employees of armored car companies.

The bill grants exclusive jurisdiction to the Superintendent of State Police over the issuance of permits to carry guns to employees of armored car companies. These permits have been handled by the chief of police of the municipality where the employee resides. This measure centralizes the procedure.

A-1843, sponsored by Assemblyman Francis J. McManimon (D-Mercer), which permits the Director of the Division of Motor Vehicles to issue a special registration certificate and registration plates for commuter vans so they will be readily identified. A "commuter van" is defined to mean a motor vehicles having a seating capacity of not less than eight nor more than 15 adult passengers, in which eight or more persons commute on a daily basis to and from work.

The bill carries with it an appropriation of \$10,000 to the Department of Motor Vehicles from the General State fund to effectuate this change.

A-2274, sponsored by Assemblyman Jimmy Zangari (D-Essex), which will permit minimum security prisoners in county institutions to receive an additional three day remission for every month employed in honor camps, farm details or details of work at public buildings or property. All remissions of time for prisoners will be in accordance with rules promulgated by the Department of Corrections.

Under the statute which this bill repeals and replaces, any county inmate receives compensation for employment in productive occupations. Compensation is in the form of cash, remission of time from sentence or both. Time remission was limited to one day for every five working days.

2 9:2-3. When the parents of minor children live separately, or
3 and about to do so, the Superior Court, in an action brought by
4 either parent, shall have the same power to make judgments or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.