

39:4-63

LEGISLATIVE HISTORY CHECKLIST

WASA 39:4-63 (Highways--Littering--Injurious objects-- mandatory license suspension)

LAWS OF 1980 CHAPTER 100

Bill No. S281

Sponsor(s) Dwyer

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Law, Public Safety & Defense

Amended during passage Yes ~~xx~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 16, 1980

Senate Feb. 11, 1980

Date of approval Sept. 11, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~ (Below)

Committee Statement: Assembly Yes ~~xx~~

Senate Yes ~~xx~~

Fiscal Note ~~xx~~ No

Veto Message ~~xx~~ No

Message on signing Yes ~~xx~~

Following were printed:

Reports ~~xx~~ No

Hearings ~~xx~~ No

Sponsor's statement:

This bill would impose a mandatory 30-day suspension of motor vehicle license on a person who discards glass or other sharp, injurious or cutting substances on the highways of this State.

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SENATE, No. 281

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senator DWYER

AN ACT relating to the throwing, placing or depositing of injurious substances on the highways of this State and amending R. S. 39:4-63.

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

1 1. R. S. 39:4-63 is amended to read as follows:

2 39:4-63. A person who throws, places or deposits\*, *or who per-*  
3 *mits to be thrown, placed, or deposited from a motor vehicle,\** any  
4 glass or other sharp, injurious or cutting substance in or upon a  
5 public highway of this State shall, except when acting under the  
6 authority of the governing body of a municipality, be punished by  
7 a fine of not less than \$100.00 nor more than \$500.00 and **\*\*[shall]\*\***  
8 **\*\*may\*\*** *forfeit his right to operate a motor vehicle over the high-*  
9 *ways of this State for a period of 30 days.*

1 2. This act shall take effect immediately.

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

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

**SENATE, No. 281**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 5, 1980

This bill would allow the imposition of a 30 day suspension of a motor vehicle license on any person who discards glass or other sharp, injurious, or cutting substances on the public highway of the State. The bill also provides that a driver permitting such acts to be performed from a vehicle operated by him would also be subject to such a penalty.

Assembly Judiciary, Law, Public Safety and Defense Committee amendment makes the extra penalty discretionary, in order not to discourage convictions where the trier of fact feels that a 30-day suspension may be too harsh under the circumstances.

SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO  
SENATE, No. 281

—•—  
**STATE OF NEW JERSEY**  
—•—

DATED: JANUARY 24, 1980

This bill would impose a 30-day suspension of a motor vehicle license on any person who discards glass or other sharp, injurious, or cutting substances on the public highway of the State. The bill was amended to provide that a driver permitting such acts to be performed from a vehicle operated by him would also be subject to such a penalty.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 12, 1980

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills:

S-281, sponsored by Senator Bernard J. Dwyer (D-Middlesex), which gives judges the discretion of imposing a 30-day suspension of the motor vehicle license of a person who discards glass or other sharp, injurious or cutting objects on a highway or permits those objects to be discarded from his car.

Prior law provided that a \$100 to \$500 fine be imposed on any person who discarded such material himself. The license suspension will supplement the fine.

S-1114, sponsored by Senator Joseph P. Merlino (D-Mercer), which repeals five statutes enacted in 1877, which set forth powers, rules and procedures governing certain municipal boards.

A study by the Division of Legal Services revealed that no boards are currently governed by these statutes and they have outlived their useful purpose.

S-1219, sponsored by Senator Joseph Merlino (D-Mercer) is an omnibus bill to correct and restructure statutes that were in whole or in part inadvertently repealed or amended by other legislation.

Thirty-two sections of this bill deal with exemptions to the State Sales and Use Tax. Another 12 sections correct the inadvertent repeal of amendments adopted between the introduction and final passage of another bill that modifies the same statute.

S-1364, also sponsored by Senator Merlino is technically a companion bill to S-1219. S-1364 will immediately reinstate statutes on the taxation of alcoholic beverages at the wholesale level which would be repealed by the signing of S-1219.

S-1151, sponsored by Senator Steven Perskie (D-Atlantic) amends a 1979 law that gave condominium associations the right of first refusal on the resale of condominium units.

The amendment effectively denies the right of first refusal in existing condominiums where the unit is given as a gift or inheritance, and in new condominium units occupied after the effective date of the legislation.

Currently, the right of first refusal reduces the market value of the unit and in certain cases an association has received a windfall profit by acquiring a unit and reselling it themselves.

A-1796, sponsored by Assemblyman John Doyle (D-Ocean) amends New Jersey law to allow the manufacture, shipping and sales of devices which emit a tear gas-like substance intended for use by financial and businesses for security systems.

An example is a false pack of money that releases tear gas. Under current law, the possession and sale of these devices may be criminal and S-1796 clarifies the statute.

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