

2A: 82-10

LEGISLATIVE HISTORY CHECKLIST

WJSA 2A:82-10 (Motor vehicle abstract records--to be received in court as prima facie evidence)

LAWS OF 1979 CHAPTER 210

Bill No. A485

Sponsor(s) Froude

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Law, Public Safety and Defense

Amended during passage ~~Yes~~ No

Date of Passage: Assembly March 6, 1978

Senate June 25, 1979

Date of approval Sept. 28, 1979

Following statements are attached if available:

Sponsor statement Yes ~~Yes~~ (Below)

Committee Statement: Assembly ~~Yes~~ No

Senate Yes ~~Yes~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes ~~Yes~~

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's statement:

The purpose of this bill is to permit abstracts of motor vehicle records to be received into evidence as prima facie evidence in court proceedings.

EJ
9/1/78

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ASSEMBLY, No. 485

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1978 SESSION

By Assemblyman FROUDE

AN ACT concerning the receipt of motor vehicle abstract records into evidence and amending N. J. S. 2A:82-10.

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

1 1. N. J. S. 2A:82-10 is amended to read as follows:

2 2A:82-10. Copies of any act, rule, order or decision made by the
3 director of the division of motor vehicles, and of any paper filed in
4 his office when authenticated under his seal shall be evidence in like
5 manner, and with equal effect as the originals.

6 All transcripts *and abstracts* of the records of the division of
7 motor vehicles as to the names of owners of motor vehicles and as
8 to the holders of licenses to operate motor vehicles *and their operat-*
9 *ing records*, certified by the director of the division, to be true
10 copies of the record, shall be received in any court as prima facie
11 evidence of the matters and facts therein stated. Such transcripts
12 *and abstracts* shall be copies of the original records made or copies
13 of the record thereof as recorded by the clerk or other officer of the
14 division of motor vehicles.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to permit abstracts of motor vehicle records to be received into evidence as prima facie evidence in court proceedings.

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
ASSEMBLY, No. 485

STATE OF NEW JERSEY

DATED: MAY 24, 1979

This bill would permit abstracts of motor vehicles to be introduced into evidence as prima facie evidence in court proceedings. The purpose of the legislation is to facilitate problems of proof in motor vehicle cases. The Division of Motor Vehicles favors enactment of this bill.

FROM THE OFFICE OF THE GOVERNOR

SEPTEMBER 28, 1979

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

KATHRYN FORSYTH

Acting Governor Christopher J. Jackman today signed the following bills in a ceremony in the Governor's Office:

A-485, sponsored by Assemblyman John Froude (D-Middlesex), which permits print-outs of motor vehicle records to be used as prima facie evidence in court proceedings.

The purpose of the legislation is to facilitate problems of proof in motor vehicle cases.

Requests to the Division of Motor Vehicles from courts and police for certified copies of suspension orders and suspension mailing lists to supplement certified print-outs of driving records are increasing. Preparation of the certified copies is a time-consuming, manual job, necessitating the pulling of file folders and mailing lists and reviewing them to obtain the required documents. At the present time, there is a large backlog of requests.

By allowing the use of print-outs rather than certified copies as prima facie evidence, this backlog will be reduced and the process simplified.

A-779, sponsored by Assemblyman James Bornheimer (D-Middlesex), which validates the sale of municipal lands not needed for public use where the advertisement of the sale limited bidders to non-profit organizations.

A-1665, sponsored by Assemblywoman Rosemarie Totaro (D-Morris), which gives added protection to hawks and owls by deleting them from the list of birds previously exempt from protection under state law.

Under prior law, these birds could be killed when found in the act of destroying poultry or livestock, and this provision conflicted with the Federal Migratory Bird Treaty Act which protects these birds from unnecessary destruction.

Killing the birds is not absolutely prohibited under the bill, and the