

39:3-8 ET AL.

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:3-8 et al. (Registration--fees for inspection)

Laws of 1976 Chapter 43

Bill No. A1976

Sponsor(s) Yates & Hamilton

Date Introduced May 24, 1976

Committee: Assembly Taxation

Senate -

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly June 28

Senate June 30

Date of approval June 30, 1976

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

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CHAPTER 43 LAWS OF N. J. 19 76
APPROVED 6-30-76

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ASSEMBLY, No. 1976

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1976

By Assemblymen YATES and HAMILTON

Referred to Committee on Taxation

AN ACT concerning motor vehicles and amending sections 39:3-8, ***[39:3-20]*** *39:3-30* and 39:8-1 *and 39:8-2* of the Revised Statutes.

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

1 1. R. S. 39:3-8 is amended to read as follows:

2 39:3-8. The applicant for registration for passenger automobiles
3 shall pay to the director for each registration a fee of **[\$15.00]**
4 ***[\$16.50]*** *\$14.00* for each such vehicle having a manufacturer's
5 shipping weight of less than 2,700 pounds, a fee of **[\$24.00]**
6 ***[\$25.50]*** *\$23.00* for each such vehicle having a manufacturer's
7 shipping weight of 2,700 pounds or more, but not greater than 3,800
8 pounds, and a fee of **[\$45.00]** ***[\$46.50]*** *\$44.00* for each vehicle
9 having a manufacturer's shipping weight in excess of 3,800 pounds.
10 The director shall determine the manufacturer's shipping weight
11 for each passenger automobile on the basis of the information
12 contained in the certificate of origin, the application for registra-
13 tion or for renewal of registration, or the records of the division,
14 or any or all of these; and any case in which the manufacturer's
15 shipping weight of any particular passenger automobile is un-
16 available, or in doubt or dispute, the director may require that such
17 automobile be weighed on a scale designated by him, and such
18 actual weight shall be considered the manufacturer's shipping
19 weight for the purposes of this section; but in all cases the
20 director's determination of the manufacturer's shipping weight of
21 any such automobile shall be final. ***[One dollar of each fee herein,**
22 **shall be the inspection fee fixed in section 39:8-2 of this Title, and**
23 **payment of the fees herein provided shall constitute payment of**
23A **the said inspection fee.]***

24 The director may also license private utility and house type
25 semitrailers and trailers with a gross load not in excess of 2,000

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

26 pounds at a fee of ~~[\$5.00]~~ *~~[\$6.50]~~* *\$4.00* per annum and all
 27 other such utility and house type semitrailers and trailers at
 28 ~~[\$10.00]~~ *~~[\$11.50]~~* *\$9.00* per annum. Application for such
 29 registration shall be made on a blank to be furnished by the division
 30 and the application shall contain a statement to the effect that the
 31 vehicle so registered will not be used for the commercial transporta-
 32 tion of goods, wares and merchandise, or for hire.

33 No private utility or house type semitrailer or trailer with an
 34 outside width of more than 96 inches, a maximum height of 13 feet
 35 6 inches, a maximum length for a single vehicle of more than
 36 35 feet, a maximum length for a semitrailer and its towing vehicle
 37 of more than 45 feet, and a maximum length for a trailer and its
 38 towing vehicle of more than 50 feet, shall be operated on any
 39 highway in this State, except that a vehicle exceeding the above
 40 limitations may be operated when a special permit so to operate
 41 is secured in advance from the director. The application for such
 42 permit shall be accompanied by a fee fixed by the director. A special
 43 permit issued by the director shall be in the possession of the
 44 operator of the vehicle for which such permit was issued. In com-
 45 puting any dimensions of a vehicle, for the purposes of this section,
 46 there shall not be included in the dimensional limitations safety
 47 equipment such as mirrors or lights, provided such appliances do
 48 not exceed the overall limitations established by the director by
 49 rule or regulation.

1 *~~2.~~ R. S. 39:3-20 is amended to read as follows:

2 39:3-20. An applicant for registration for trucks, road tractors
 3 and truck tractors shall pay to the director a fee based on the gross
 4 weight of the vehicle and load including the gross weight of all ve-
 5 hicles and load of any combination of vehicles of which the truck,
 6 road tractor or truck tractor is the drawing vehicle in such combi-
 7 nation of vehicles. The plates to be used for commercial motor
 8 vehicles shall display the word "commercial," and the numerals
 9 shall be prefixed by the letter "X" or "Z." Trailer plates shall
 10 have the letter "T." The fee for trucks, road tractors and truck
 11 tractors shall be paid in accordance with the following:

12 When the gross weight of vehicle and load, including the gross
 13 weight of all vehicles and load of any combination of vehicles of
 14 which the truck, road tractor or truck tractor is the drawing ve-
 15 hicle in such combination of vehicles, is 5,000 pounds or less, the
 16 minimum registration fee shall be ~~[\$50.00]~~ \$51.50 and where
 17 greater than 5,000 pounds, the registration fee shall be ~~[\$50.00]~~
 18 \$51.50 for the first 5,000 pounds and \$8.50 for each additional 1,000
 19 pounds or portion thereof.

20 An applicant for registration for trailers and semitrailers shall
21 pay to the director a fee of ~~[\$18.00]~~ \$19.50 for each such vehicle.

22 At the discretion of the director, an applicant for registration
23 for a trailer may be provided the option of registering such vehicle
24 for a period of 4 years. In the event that the applicant for regis-
25 tration exercises the 4-year option, a fee of ~~[\$64.00]~~ \$70.00 for each
26 such vehicle shall be paid to the director in advance.

27 If any trailer registered for a 4-year period is sold or withdrawn
28 from use on the highways, the director may, upon surrender of the
29 vehicle registration and plate, refund ~~[\$16.00]~~ \$17.50 for each
30 full year of unused prepaid registration.

31 In addition to the registrations authorized to be issued pursuant
32 to the aforesaid provisions of this section, the director shall issue
33 registrations for automobile commercial vehicles, trailers, semi-
34 trailers, and tractors providing for the gross weight of vehicle and
35 load over 40,000 pounds but not exceeding 70,000 pounds, upon
36 application therefor and proof to the satisfaction of the director
37 that the applicant is actually engaged in construction work or in
38 the business of supplying material, transporting material, or using
39 such registered vehicle for construction work. The license plate so
40 issued shall be marked "constructor" and shall be placed upon the
41 vehicle or vehicles registered under this section. In no event shall
42 a vehicle or combination of vehicles, operating as a unit, registered
43 under this section and using "constructor" registration plates ex-
44 ceed a maximum gross weight, inclusive of load, of 70,000 pounds.

45 In addition to the registrations authorized to be issued pursuant
46 to the aforesaid provisions of this section, the director shall issue
47 registrations for tandem three-axle vehicles having a weight and
48 load not exceeding 60,000 pounds, upon application to the director
49 and proof to his satisfaction that the applicant is actually engaged
50 in the performance of solid waste disposal or collection functions
51 and holds a certificate of convenience and necessity therefor issued
52 by the Board of Public Utility Commissioners.

53 The applicants for "constructor" registration plates and regis-
54 tration plates for vehicles performing solid waste disposal or col-
55 lection functions authorized herein shall pay therefor on each
56 vehicle at the rate of \$16.00 per 1,000 pounds of gross weight
57 of vehicle and load for said constructor vehicles and at the rate
58 of \$18.00 per 1,000 pounds of gross weight of vehicle and load for
59 said solid waste disposal vehicles.

60 Vehicles registered and using "constructor" registration plates
61 may not be operated at a distance greater than 30 miles from the

62 point established as a headquarters for the particular construction
63 operation and such vehicles, except as hereafter provided, must
64 comply with the speed limitations of Title 39 of the Revised Stat-
65 utes. Such vehicles when carrying a gross weight of vehicle and
66 load less than 50% of the certificate of registration shall comply
67 with applicable speed laws and shall not move along a highway at
68 a speed greater than 40 miles per hour. When carrying a gross
69 weight of vehicle and load in excess of 50% of the certificate of
70 registration, such vehicle shall comply with applicable speed laws
71 and shall not move along a highway at a speed greater than 30
72 miles per hour.

73 Vehicles performing solid waste disposal or collection functions
74 and registered therefor pursuant to the provisions of this section,
75 may not be operated on any highway which is part of the National
76 System of Interstate and Defense Highways or on any highway
77 which has been designated a freeway or parkway as provided by
78 law, and no such vehicle shall be driven over any bridge in this
79 State or over any interstate bridge owned or maintained in whole
80 or in part by this State, upon which or immediately adjacent thereto
81 there is posted in a conspicuous place a sign stating the gross
82 weight the bridge will carry, if the gross weight of any such vehicle
83 and the load is greater than the gross weight stated on the sign.

84 It shall be unlawful for any vehicle registered under this act
85 having gross weight of load and vehicle including the gross weight
86 of all vehicles and load in any combination of vehicles in excess of
87 the gross weight provided on the registration certificate to be op-
88 erated on the highways of this State.

89 In the event that a truck, road tractor or truck tractor registered
90 under this act is found on a highway in combination with a trailer
91 or semitrailer duly registered in any other state or Federal dis-
92 trict which imposes registration weight fees on such trailers or
93 semitrailers, the drawing vehicle of the combination registered
94 under this act shall have a gross weight registration equal to at
95 least one-half of the combined gross weight of all the vehicles and
96 load in the combination of vehicles. If it does not, the operation
97 of said vehicles on the highways of this State shall be unlawful.

98 The 5% allowance provided by section 5 of P. L. 1950, c. 142
99 (C. 39:3-84.3) shall be applicable as heretofore to all registered
100 weight limitations provided in this section, except that in no event
101 shall the gross weight of any vehicle or combination of vehicles,
102 including load, exceed the Federal maximum of 80,000 pounds or
103 as such may be amended from time to time. In the case of a truck,
104 road tractor or truck tractor registered under this act in combina-
105 tion with a trailer or semitrailer duly registered in any other State

106 or Federal district which imposes registration weight fees on such
 107 trailers or semitrailers, known as a mixed combination, the 5%
 108 allowance shall be applied by adding to the registered weight of
 109 the drawing vehicle registered under this act 5% of said registered
 110 weight. If the resulting sum is equal at least to one-half the com-
 111 bined weight of the mixed combined gross weight of the mixed
 112 combination, then the mixed combination shall be in compliance
 113 with the registration requirements of this section.

114 Moneys realized from the increase of the fees for registrations
 115 issued pursuant to the provisions of this act shall be paid into the
 116 State Treasury and credited to the General State Fund and avail-
 117 able for general State purposes.

118 This section shall not be construed to supersede or repeal the
 119 provisions of either section 39:3-84 or 39:4-75 of this Title.]*

1 *2. Section 39:3-30 of the Revised Statutes is amended to read
 2 as follows:

3 39:3-30. Upon the transfer of ownership or the destruction of
 4 any motor vehicle its registration shall become void. If the motor
 5 vehicle is sold the original owner shall remove the license plates
 6 therefrom, and, within 48 hours, notify the director of the name
 7 and address of the purchaser.

8 The original owner may, by proper sworn application on a form
 9 to be furnished by the division, register another motor vehicle for
 10 the unexpired portion of the registration period of the original
 11 vehicle, upon payment of a fee of ~~[\$3.00]~~ \$4.50 if the vehicle is of a
 12 weight or other classification equal with or less than the one
 13 originally registered, and upon the payment of a fee of ~~[\$3.00]~~
 14 \$4.50 and the difference between the fee originally paid and that
 15 due if the new motor vehicle is properly registerable in a higher
 16 class. Unless the original license plates have been destroyed, the
 17 owner shall be assigned the license number previously issued to
 18 him and shall receive a new registration certificate. If the original
 19 license plates have been destroyed, replacement of the plates will
 20 be made under the provisions of section 39:3-32 of this Title.

21 The surviving husband, wife, child or children of a deceased
 22 registered owner of any motor vehicle in whom title thereto shall
 23 vest by virtue of the terms of the will of such deceased owner, or
 24 otherwise, shall, upon application to the director, upon the pay-
 25 ment of a fee of ~~[\$3.00]~~ \$4.50 be entitled to have the registration
 26 of such vehicle transferred to his or her name.*

1 3. R. S. 39:8-1 is amended to read as follows:

2 39:8-1. The director shall require every motor vehicle registered
 3 in this State which is used over the highways of this State, except

4 vehicles and traction equipment registered pursuant to section
 5 39:3-24 of this Title, motor vehicles used for the transportation of
 6 passengers for hire which are subject to the jurisdiction of the
 7 board of public utility commissioners and historic motor vehicles
 8 registered as such, to have such motor vehicles inspected [with
 9 respect to mechanism, brakes and equipment] by designated in-
 10 spectors or at official inspection stations to be designated by the
 11 director. *The director shall have the discretion to determine what*
 12 *motor vehicle equipment shall be subject to inspection under the*
 13 *provisions of this chapter.*

1 *4. Section 39:8-2 of the Revised Statutes is amended to read
 2 as follows:

3 39:8-2. The director may designate and appoint, subject to exist-
 4 ing laws, competent examiners of motor vehicles to examine motor
 5 vehicles required to be inspected in accordance with the provisions
 6 of this chapter. Such examiners may be delegated to enforce the
 7 provisions of the motor vehicle and traffic law.

8 The director may make rules and regulations with respect to the
 9 character and frequency of the inspections to be made, and with
 10 respect to the approval or rejection of motor vehicles as a result
 11 of such inspections.

12 The director shall furnish to designated examiners official certifi-
 13 cates of approval, the form, content and use of which he shall
 14 prescribe.

15 The director may, with the approval of the State House Com-
 16 mission, purchase, lease or acquire by the exercise of the power of
 17 eminent domain any property for the purpose of assisting him in
 18 carrying out the provisions of this chapter. Such property may
 19 also be used by the director for the exercise of the duties and
 20 powers conferred upon him by the other chapters of this Title.

21 The director shall make a charge of [\\$1.00] \$2.50 for the initial
 22 inspection for each vehicle subject to inspection, which amount
 23 shall be paid to the director or his representative when payment of
 24 the registration fees fixed in chapter 3 of this Title is made[; pro-
 25 vided, however, that the said charge for passenger automobiles
 26 shall be paid as part of the registration fee for such vehicles, as
 27 provided in section 39:3-8 of this Title]. Said fee is not applicable
 28 to reinspection by licensed reinspection centers of vehicles rejected
 29 upon initial inspection at a motor vehicle inspection station.*

1 *4. Sections 1 and 2 of this act shall take effect August 1, 1976
 2 and section 3 of the act shall take effect immediately.* *5. *This*
 3 *act shall take effect 60 days succeeding enactment.**

A1976 (1976)

5

104 road tractor or truck tractor registered under this act in combina-
105 tion with a trailer or semitrailer duly registered in any other State
106 or Federal district which imposes registration weight fees on such
107 trailers or semitrailers, known as a mixed combination, the 5%
108 allowance shall be applied by adding to the registered weight of
109 the drawing vehicle registered under this act 5% of said registered
110 weight. If the resulting sum is equal at least to one-half the com-
111 bined weight of the mixed combined gross weight of the mixed
112 combination, then the mixed combination shall be in compliance
113 with the registration requirements of this section.

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116 State Treasury and credited to the General State Fund and avail-
117 able for general State purposes.

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6 passengers for hire which are subject to the jurisdiction of the
7 board of public utility commissioners and historic motor vehicles
8 registered as such, to have such motor vehicles inspected [with
9 respect to mechanism, brakes and equipment] by designated in-
10 spectors or at official inspection stations to be designated by the
11 director. *The director shall have the discretion to determine what*
12 *motor vehicle equipment shall be subject to inspection under the*
13 *provisions of this chapter.*

1 4. Sections 1 and 2 of this act shall take effect August 1, 1976 and
2 section 3 of the act shall take effect immediately.

STATEMENT

This bill will increase motor vehicle registration fees \$1.50 per year in order to enable motor vehicle inspections to continue.

ASSEMBLY TAXATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1976

STATE OF NEW JERSEY

DATED: JUNE 10, 1976

The Assembly Taxation Committee has released Assembly Bill No. 1976 with amendments proposed by the Division of Motor Vehicles. The amendments do not alter the substance of the bill, but merely define the actual operation properly.

Upon first glance, it would appear that motor vehicle registration fees are being reduced by \$1.00 across-the-board whereas in its original form the bill proposed an increase of \$1.50 across-the-board. However, this change may be clarified as follows: In section 39:8-2 of the Revised Statutes, \$1.00 of the registration fee is for vehicle inspection and is included in the one fee paid for passenger automobiles. Under the existing system, therefore, the vehicle owner has already paid his inspection fee when he takes his car to be inspected.

Under the proposed legislation, that dollar will be deducted from the actual registration fee and to that will be added \$1.50 for the total of \$2.50 which will be utilized specifically to fund the vehicle inspection program.

Because registration applications for the coming year have already been mailed for the month of July, it is proposed that the bill become effective 60 days succeeding enactment.