

6:1-59.1 AND 77

LEGISLATIVE HISTORY CHECKLIST

NJSA 6:1-59.1; 6:1-77 (Violation of aviation laws--municipal court jurisdiction)

Laws of 1976 Chapter 136

Bill No. A880

Sponsor(s) Esposito

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Law, Public Safety & Defense

Amended during passage Yes No

Date of passage: Assembly June 16, 1976

Senate Dec. 13, 1976

Date of approval December 28, 1976

Following statements are attached if available:

Sponsor statement Yes below 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

Hearings Yes No

Sponsor's statement:

This bill will authorize the municipal courts to hear penalty actions for violations of the State aviation laws.

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ASSEMBLY, No. 880

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Assemblyman ESPOSITO

AN ACT concerning aeronautics and aircraft, and amending P. L.  
1971, c. 118 and P. L. 1964, c. 128.

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

1 1. Section 7 of P. L. 1971, c. 118 (C. 6:1-59.1) is amended to  
2 read as follows:

3 7. Any person violating any provisions of this act, or any rule,  
4 regulation or order authorized hereby and any person who operates,  
5 conducts, uses or permits others to operate, conduct, use or employ  
6 any aeronautical facility, operation or activity which is required  
7 to be licensed without said license being previously issued or re-  
8 newed as required shall be liable to a penalty of \$50.00 which may  
9 be collected and enforced in an action by the Division of Aeronautics  
10 in the name of the State in **[a]** *any municipal court or in any other*  
11 *court of competent jurisdiction in a summary manner, without a*  
12 *jury, in accordance with the procedure prescribed in "The Penalty*  
13 *Enforcement Law" (2A:58-1 et seq.). All penalties and costs col-*  
14 *lected in such actions shall be accounted for by the judge and for-*  
15 *warded to the Division of Aeronautics which shall transmit the*  
16 *same to the State Treasurer.*

1 2. Section 15 of P. L. 1964, c. 128 (C. 6:1-77) is amended to  
2 read as follows:

3 15. Any person violating any provision of this act or any rule or  
4 regulation authorized hereby and any person who owns or is en-  
5 titled to the exclusive use of an aircraft and any person who  
6 operates an aircraft, required to be registered under this act, which  
7 is not currently registered and the proper fees paid therefor shall  
8 be subject to a penalty of not less than \$25.00 or more than \$1,000.00  
9 for each year or period not so registered which penalty may be

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

10 collected and enforced in an action by the Division of Aeronautics  
11 in the name of the State in [a] *any municipal court or in any other*  
12 court of competent jurisdiction in a summary manner, without a  
13 jury, in accordance with the procedures prescribed in "The Penalty  
14 Enforcement Law" (P. L. 1948, c. 253).

15 All penalties levied for violations of this act shall be accounted  
16 for by the judge or other judicial officer and forwarded to the  
17 Director of Aeronautics, Department of Transportation, who shall  
18 deposit the same with the State Treasurer. The State Treasurer  
19 shall account for and dispose of said moneys in the same manner  
20 as provided for the disposition of registration fees by section 11,  
21 chapter 128, laws of 1964.

1 3. This act shall take effect immediately.

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STATEMENT

This bill will authorize the municipal courts to hear penalty actions for violations of the State aviation laws.

SENATE LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 880**

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**STATE OF NEW JERSEY**

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DATED: NOVEMBER 8, 1976

This bill amends subsections 59.1 and 77 of section 1 of Title 6 by extending jurisdiction to hear penalty actions for violations of State aviation laws to municipal courts. The purpose is to expedite these actions.

974.901  
661

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

DECEMBER 30, 1976

ANNE BURNS - 9600

Governor Brendan Byrne has signed into law the following bills:

A-880 (Esposito) allowing municipal courts to hear penalty actions for violations of State aviation laws, previously heard only by county district courts and county courts. This bill is intended to lighten the overburdened district court caseload and ease enforcement costs. The Department of Transportation estimates that this bill could provide the state with up to \$35,000 per year additional revenue from more effective enforcement of aircraft registration.

A-2132 (Martin) excepting the Westwood Regional School District from the provisions of P.L. 1976, Chapter 21 which provides for a 5-year phase-in period for the new method of apportioning local costs of a regional district among its member municipalities. This district, composed of Washington Township and Westwood Borough in Bergen County, changed from a consolidated to a regional district under P.L. 1968, Chapter 240, and was phasing in cost apportionment over a ten-year basis when Chapter 21 was enacted, increasing the cost burden of the "poor" municipality, Washington Township, rather than reducing it as had been the intent of the legislation. A special five-year phase-in schedule has been established for the district by the courts.

A-1974 (Markert) authorizing counties and municipalities to sell by private sale, undeveloped land which is less than development size under zoning ordinances to the owner of contiguous tracts. If there is more than one owner with contiguous property, the land will be sold to the highest bidder of the group. The land cannot be sold for less than fair market value. Counties and municipalities are required to offer this property at private sales to these owners before holding public sales.

OFFICE OF THE GOVERNOR  
STATE OF NEW JERSEY  
TREASURER'S OFFICE  
JAN 1 1977