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RH/CL

P.L.2017, CHAPTER 249, *approved January 8, 2018*

Senate, No. 1148

1 AN ACT concerning period for filing of complaints for certain
2 motor vehicle violations and amending R.S.39:5-3.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.39:5-3 is amended to read as follows:

8 39:5-3. a. When a person has violated a provision of this
9 subtitle, the judge may, within 30 days after the commission of the
10 offense, issue process directed to a constable, police officer, or the
11 chief administrator for the appearance or arrest of the person so
12 charged and for a violation of R.S.39:4-81, issue process within 90
13 days after the commission of the offense. In the case of a violation
14 enumerated in subsection b. of this section, this period shall
15 commence upon the filing of a complaint.

16 b. A complaint may be made to a judge for a violation of
17 R.S.39:3-12, R.S.39:3-34, R.S.39:3-37, R.S.39:4-129 or R.S.39:10-
18 24 at any time within one year after the commission of the offense;
19 for a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
20 50.4a), section 5 of P.L.1990, c.103 (C.39:3-10.13), section 10 of
21 P.L.1990 c.103 (C.39:3-10.18), section 16 of P.L.1990, c.103
22 (C.39:3-10.24), section 3 of P.L.1952, c.157 (C.12:7-46), section 9
23 of P.L.1986, c.39 (C.12:7-57), R.S.39:3-40, or section 1 of
24 P.L.1942, c.192 (C.39:4-128.1), at any time within 90 days after the
25 commission of the offense.

26 c. All proceedings shall be brought before a judge having
27 jurisdiction in the municipality in which it is alleged that the
28 violation occurred, but when a violation occurs on a street through
29 which the boundary line of two or more municipalities runs or
30 crosses, then the proceeding may be brought before the judge
31 having jurisdiction in any one of the municipalities divided by said
32 boundary line, and in the event there shall be no judge or should no
33 judge having such jurisdiction be available for the acceptance of
34 bail and disposition of the case, or should the judges having such
35 jurisdiction be disqualified because of personal interest in the
36 proceedings, or for any other legal cause, said proceeding shall be
37 brought before a judge having jurisdiction in the nearest
38 municipality to the one in which it is alleged such a violation
39 occurred.

40 (cf: P.L.2009, c.52, s.1)

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42 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.

Matter underlined thus is new matter.

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STATEMENT

This bill provides that charges for a violation of N.J.S.A.39:3-10.18, which penalizes driving with a suspended commercial driver's license, would have to be filed within 90 days after the offense. This is similar to the 90-day period prescribed for filing charges against drivers who drive while their non-commercial driver's licenses are suspended.

Provides for time period during which complaints may be filed for certain motor vehicle violations.

SENATE, No. 1148

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblywoman BETTYLOU DECROCE

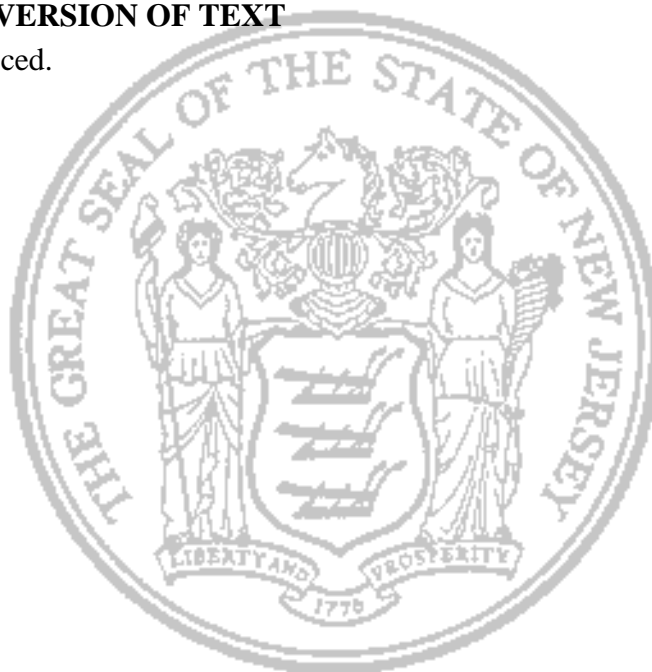
District 26 (Essex, Morris and Passaic)

SYNOPSIS

Provides for time period during which complaints may be filed for certain motor vehicle violations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2017)

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2 motor vehicle violations and amending R.S.39:5-3.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
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14 enumerated in subsection b. of this section, this period shall
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25 commission of the offense.

26 c. All proceedings shall be brought before a judge having
27 jurisdiction in the municipality in which it is alleged that the
28 violation occurred, but when a violation occurs on a street through
29 which the boundary line of two or more municipalities runs or
30 crosses, then the proceeding may be brought before the judge
31 having jurisdiction in any one of the municipalities divided by said
32 boundary line, and in the event there shall be no judge or should no
33 judge having such jurisdiction be available for the acceptance of
34 bail and disposition of the case, or should the judges having such
35 jurisdiction be disqualified because of personal interest in the
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STATEMENT

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SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1148

STATE OF NEW JERSEY

DATED: MARCH 7, 2016

The Senate Transportation Committee reports favorably Senate Bill No. 1148.

As reported, this bill provides that any charge brought against a person for a violation of N.J.S.A.39:3-10.18, which penalizes driving with a suspended commercial driver's license, is required to be filed within 90 days after the date the offense first occurred.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

SENATE, No. 1148

STATE OF NEW JERSEY

DATED: OCTOBER 13, 2016

The Assembly Transportation and Independent Authorities Committee reports favorably Senate Bill No. 1148.

As reported, this bill provides that a complaint for a violation of N.J.S.A.39:3-10.18, which penalizes a person for operating a commercial motor vehicle without a valid commercial driver license or doing so with a suspended or revoked commercial driver license, is to be made to a judge within 90 days after the commission of the offense.

As reported by the committee, Senate Bill No. 1148 is identical to Assembly Bill No. 3958, which was also reported by the committee on this date.

ASSEMBLY, No. 3958

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 20, 2016

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Provides for time period during which complaints may be filed for certain motor vehicle violations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/14/2016)

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STATEMENT TO

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STATE OF NEW JERSEY

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