# **39:5-3** LEGISLATIVE HISTORY CHECKLIST

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| LAWS OF:   | 2017   | CHAP    | FER:                                     | 249                 |           |     |  |
|--|--|---------|--|---------------------|-----------|-----|--|
| NJSA:  | 39:5-3 (Provides for time period during which complaints may be filed for certain motor vehicle violations.) |         |  |                     |           |     |  |
| BILL NO:   | S1148  | (Substi | tuted for                                | r A3958)            |           |     |  |
| SPONSOR(S) Bateman and others  |  |         |  |                     |           |     |  |
| DATE INTRODUCED: 2/8/2016  |  |         |  |                     |           |     |  |
| COMMITTEE: ASSEMBLY  |  | SEMBLY: | Transportation & Independent Authorities |                     |           |     |  |
|  | SE   | NATE:   | Transp                                   | oortation           |           |     |  |
| AMENDED DURING PASSAGE:  |  |         | No                                       |                     |           |     |  |
| DATE OF PASSAGE: ASSEMBL   |  |         | IBLY:                                    | 12/7/2017           |           |     |  |
|  |  | SENAT   | E:                                       | 5/9/2016            |           |     |  |
| <b>DATE OF APPROVAL:</b> 1/8/2018  |  |         | 8  |                     |           |     |  |
| FOLLOWING ARE ATTACHED IF AVAILABLE:   |  |         |  |                     |           |     |  |
| FINAL TEXT OF BILL (Introduced ve  |  |         |  | on of bill enacted) | )         | Yes |  |
| SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes   |  |         |  |                     |           |     |  |
| COMMITTEE STATEN   |  |         | ENT:                                     |                     | ASSEMBLY: | Yes |  |
|  |  |         |  |                     | SENATE:   | Yes |  |
| (Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, <i>may possibly</i> be found at www.njleg.state.nj.us) |  |         |  |                     |           |     |  |

|  | FLOOR AMENDMENT STATEMENT:               | No        |     |  |  |
|--|--|-----------|-----|--|--|
|  | LEGISLATIVE FISCAL ESTIMATE:             | No        |     |  |  |
| A3958  |  |           |     |  |  |
|  | SPONSOR'S STATEMENT: (Begins on page 3 d | Yes       |     |  |  |
|  | COMMITTEE STATEMENT:                     | ASSEMBLY: | Yes |  |  |
|  |  | SENATE:   | No  |  |  |
| io archived recordings of the committee meetings, corresponding to the date of the committee |  |           |     |  |  |

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

| FLOOR AMENDMENT STATEMENT:   |             | No |
|------------------------------|-------------|----|
| LEGISLATIVE FISCAL ESTIMATE: |             | No |
|                              | (continued) |    |

| VETO MESSAGE:   | No |  |  |  |
|---|----|--|--|--|
| GOVERNOR'S PRESS RELEASE ON SIGNING: No   |    |  |  |  |
| FOLLOWING WERE PRINTED:<br>To check for circulating copies, contact New Jersey State Government<br>Publications at the State Library (609) 278-2640 ext.103 or <u>mailto:refdesk@njstatelib.org</u> |    |  |  |  |
| REPORTS:  | No |  |  |  |
| HEARINGS:   | No |  |  |  |
| NEWSPAPER ARTICLES:   | No |  |  |  |
|   |    |  |  |  |

RH/CL

## P.L.2017, CHAPTER 249, *approved January 8, 2018* Senate, No. 1148

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

3 4

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

6 7

5

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 A complaint may be made to a judge for a violation of b. 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 All proceedings shall be brought before a judge having c. 27 jurisdiction in the municipality in which it is alleged that the violation occurred, but when a violation occurs on a street through 28 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 judge having such jurisdiction be available for the acceptance of 33 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)

41 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 <u>thus</u> is new matter.

#### S1148 2

**STATEMENT** 

3 This bill provides that charges for a violation of N.J.S.A.39:3-10.18, which penalizes driving with a suspended commercial 4 driver's license, would have to be filed within 90 days after the 5 6 offense. This is the similar to the 90-day period prescribed for 7 filing charges against drivers who drive while their non-commercial 8 driver's licenses are suspended.

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- 10
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13 Provides for time period during which complaints may be filed for certain motor vehicle violations. 14

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# 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.



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

2

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 chief administrator for the appearance or arrest of the person so 11 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 A complaint may be made to a judge for a violation of b. 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 P.L.1990 c.103 (C.39:3-10.18), section 16 of P.L.1990, c.103 21 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 All proceedings shall be brought before a judge having c. 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 proceedings, or for any other legal cause, said proceeding shall be 36 brought before a judge having jurisdiction in the nearest 37 38 municipality to the one in which it is alleged such a violation 39 occurred. 40 (cf: P.L.2009, c.52, s.1) 41

42 2. This act shall take effect immediately.

Matter underlined <u>thus</u> is new matter.

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

# S1148 BATEMAN, PENNACCHIO

### STATEMENT

2

1

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 the similar to the 90-day period prescribed for

- 7 filing charges against drivers who drive while their non-commercial
- 8 driver's licenses are suspended.

## 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 occured.

# 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)

2

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 chief administrator for the appearance or arrest of the person so 11 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 A complaint may be made to a judge for a violation of b. 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 P.L.1990 c.103 (C.39:3-10.18), section 16 of P.L.1990, c.103 21 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 All proceedings shall be brought before a judge having c. 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 proceedings, or for any other legal cause, said proceeding shall be 36 brought before a judge having jurisdiction in the nearest 37 38 municipality to the one in which it is alleged such a violation 39 occurred. 40 (cf: P.L.2009, c.52, s.1) 41

42 2. This act shall take effect immediately.

Matter underlined <u>thus</u> is new matter.

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

## A3958 WISNIEWSKI, WEBBER

## STATEMENT

2

1

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 the similar to the 90-day period prescribed for

- 7 filing charges against drivers who drive while their non-commercial
- 8 driver's licenses are suspended.

# ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

## STATEMENT TO

## ASSEMBLY, No. 3958

# **STATE OF NEW JERSEY**

### DATED: OCTOBER 13, 2016

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 3958.

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