

A4921 (cont)

COMMITTEE STATEMENT:

ASSEMBLY: Yes Budget

SENATE: No

(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:

Yes 12/11/2019

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

Rwh/cl

§2 - C.52:9S-3.1
§4 –
C.17:29A-35.2
§6 - C.39:4-97.2a

P.L. 2019, CHAPTER 301, *approved January 13, 2020*
Senate Committee Substitute for
Senate, No. 1508

1 **AN ACT** concerning unsafe driving and points-based surcharge
2 system penalties, supplementing Titles 52, 17, and 39 of the
3 Revised Statutes, and amending various parts of the statutory
4 law.

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

8
9 1. Section 3 of P.L.1975, c.208 (C.52:9S-3) is amended to read
10 as follows:

11 3. a. The commission shall each year prepare a State Capital
12 Improvement Plan containing its proposals for State spending for
13 capital projects, which shall be consistent with the goals and
14 provisions of the State Development and Redevelopment Plan
15 adopted by the State Planning Commission and shall be prepared
16 after consultation with the New Jersey Council of Economic
17 Advisors, created pursuant to P.L.1993, c.149 (C.52:9H-34 et seq.).
18 Copies of the plan shall be submitted to the Governor and the
19 Legislature no later than December 1 of each year. The plan shall
20 provide:

21 (1) A detailed list of all capital projects of the State which the
22 commission recommends be undertaken or continued by any State
23 agency in the next three fiscal years, together with information as to
24 the effect of such capital projects on future operating expenses of
25 the State, and with recommendations as to the priority of such
26 capital projects and the means of funding them;

27 (2) The forecasts of the commission as to the requirements for
28 capital projects of State agencies for the four fiscal years next
29 following such three fiscal years and for such additional periods, if
30 any, as may be necessary or desirable for adequate presentation of
31 particular capital projects, and a schedule for the planning and
32 implementation or construction of such capital projects;

33 (3) A schedule for the next fiscal year of recommended
34 appropriations of bond funds from issues of bonds previously
35 authorized;

36 (4) A review of capital projects which have recently been
37 implemented or completed or are in process of implementation or
38 completion;

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.

- 1 (5) Recommendations as to the maintenance of physical
2 properties and equipment of State agencies;
- 3 (6) Recommendations which the commission deems appropriate
4 as to the use of properties reported in subsection c. of this section;
- 5 (7) A report on the State's overall debt. This report shall include
6 information on the outstanding general obligation debt and debt
7 service costs for the prior fiscal year, the current fiscal year, and the
8 estimated amount for the subsequent five fiscal years. In addition,
9 the report shall provide similar information on capital leases and
10 installment obligations. In addition, the report shall provide similar
11 information on the following long-term obligations: all items
12 comprising long-term liabilities as recorded in a schedule of long-
13 term debt changes (bonded and non-bonded) in the State's annual
14 comprehensive financial report prepared pursuant to section 37 of
15 article 3 of P.L.1944, c.112 (C.52:27B-46), the unfunded actuarial
16 accrued liability for State administered retirement systems, and the
17 unfunded actuarial accrued liabilities for post-retirement medical
18 and other benefits;
- 19 (8) An assessment of the State's ability to increase its overall
20 debt and a recommendation on the amount of any such increase. In
21 developing this assessment and recommendation, the commission
22 shall consider those criteria used by municipal securities rating
23 services in rating governmental obligations; **[and]**
- 24 (9) A summary or written notification regarding the repayment
25 or issuance of motor vehicle surcharge revenue bonds required to be
26 prepared or transmitted pursuant to section 2 of P.L. , c. (C.)
27 (pending before the Legislature as this bill); and
- 28 (10) Such other information as the commission deems relevant
29 to the foregoing matters.
- 30 b. Each State agency shall no later than August 15 of each year
31 provide the commission with:
- 32 (1) A detailed list of capital projects which each State agency
33 seeks to undertake or continue for its purposes in the next three
34 fiscal years, together with information as to the effect of such
35 capital projects on future operating expenses of the State, and with
36 such relevant supporting data as the commission requests;
- 37 (2) Forecasts as to the requirements for capital projects of such
38 agency for the four fiscal years next following such three fiscal
39 years and for such additional periods, if any, as may be necessary or
40 desirable for adequate presentation of particular capital projects,
41 and a schedule for the planning and implementation or construction
42 of such capital projects;
- 43 (3) A schedule for the next fiscal year of requested
44 appropriations of bond funds from issues of bonds previously
45 authorized;

1 (4) A report on capital projects which have recently been
2 implemented or completed or are in process of implementation or
3 completion;

4 (5) A report as to the maintenance of its physical properties and
5 capital equipment;

6 (6) Such other information as the commission may request.

7 c. Each State agency shall, when requested, provide the
8 commission with supplemental information in addition to that to be
9 available to the commission under the computerized record keeping
10 of the Department of the Treasury, Bureau of Real Property
11 Management, concerning any real property owned or leased by the
12 agency including its current or future availability for other State
13 uses.

14 d. A copy of the plan shall also be forwarded to the Division of
15 Budget and Accounting each year upon its completion, and the
16 portion of the plan relating to the first fiscal year thereof shall, to
17 the extent it treats of capital appropriations in the annual budget,
18 constitute the recommendations of the commission with respect to
19 such capital appropriations in the budget for the next fiscal year.

20 (cf: P.L.2009, c.304, s.1)

21

22 2. (New section) a. The New Jersey Commission on Capital
23 Budgeting and Planning shall each year conduct a review of all
24 outstanding debts, including bonds, refunding bonds, notes, and
25 other obligations and the costs thereof, of the State and each State
26 agency that have a pledge of revenues derived from a motor vehicle
27 surcharge imposed by section 6 of P.L.1983, c.65 (C.17:29A-35) or
28 by section 1 of P.L.2000, c.75 (C.39:4-97.2). The review shall, at a
29 minimum, determine the date each outstanding debt was issued, the
30 entity responsible for the issuance of the debt, the outstanding debt
31 and debt service costs for the prior fiscal year, the current fiscal
32 year, and the estimated amount for the subsequent five fiscal years,
33 and the date the outstanding debt is expected to be repaid. The
34 commission shall prepare a summary of the review conducted in
35 accordance with this subsection for inclusion in the State Capital
36 Improvement Plan.

37 b. Upon the repayment of all outstanding debts, including
38 bonds, refunding bonds, notes, and other obligations and the costs
39 thereof, of the State and each State agency that have a pledge of
40 revenues derived from a motor vehicle surcharge imposed by
41 section 6 of P.L.1983, c.65 (C.17:29A-35) or by section 1 of
42 P.L.2000, c.75 (C.39:4-97.2), the executive director of the
43 commission shall transmit a written notification to the State
44 Treasurer and the Chief Administrator of the New Jersey Motor
45 Vehicle Commission to certify that the debts have been repaid in
46 full pursuant to the terms of those debt contracts and that no new
47 motor vehicle surcharges shall be imposed on or after the date that

1 all outstanding debts have been repaid. The written notification
2 shall be transmitted not later than five days after the date that all
3 outstanding debts have been repaid. A copy of the written
4 notification shall be included in the State Capital Improvement Plan
5 for the fiscal year in which all outstanding debts have been repaid.

6 c. Following enactment of P.L. , c. (C.) (pending before
7 the Legislature as this bill) but prior to the repayment of all
8 outstanding debts, including bonds, refunding bonds, notes, and
9 other obligations and the costs thereof, of the State and each State
10 agency that have a pledge of revenues derived from a motor vehicle
11 surcharge imposed by section 6 of P.L.1983, c.65 (C.17:29A-35) or
12 by section 1 of P.L.2000, c.75 (C.39:4-97.2), the executive director
13 of the commission shall monitor the issuance of all new debts to
14 determine if those debts have a pledge of revenues derived from a
15 motor vehicle surcharge in violation of section 4 of P.L. , c.
16 (C.) (pending before the Legislature as this bill) or of section 6
17 of P.L. , c. (C.) (pending before the Legislature as this bill).
18 The executive director of the commission shall transmit a written
19 notification to the State Treasurer and the presiding officer of each
20 House of the Legislature if the executive director determines that
21 the issuance of any new debts have a pledge of revenues derived
22 from a motor vehicle surcharge. The written notification shall be
23 transmitted not later than five days after the determination has been
24 made. A copy of the written notification shall be included in the
25 State Capital Improvement Plan for the fiscal year in which the
26 determination has been made.

27
28 3. Section 6 of P.L.1983, c.65 (C.17:29A-35) is amended to
29 read as follows:

30 6. a. (Deleted by amendment, P.L.1997, c.151.)

31 b. There is created a Motor Vehicle Violations Surcharge
32 System which shall apply to all drivers and shall include, but not be
33 limited to, the following provisions:

34 (1) (a) Surcharges shall be levied, beginning on or after January
35 1, 1984 but before the first day of the first month next following the
36 date the written notification required pursuant to subsection b. of
37 section 2 of P.L. , c. (C.) (pending before the Legislature as
38 this bill) is transmitted to the State Treasurer and the Chief
39 Administrator of the New Jersey Motor Vehicle Commission, by
40 the **【New Jersey Motor Vehicle Commission (hereinafter the**
41 **"commission")】** commission established by section 4 of P.L.2003,
42 c.13 (C.39:2A-4) on any driver who, in the preceding 36-month
43 period, has accumulated six or more motor vehicle points, as
44 provided in Title 39 of the Revised Statutes; except that the
45 allowance for a reduction of points in Title 39 of the Revised
46 Statutes shall not apply for the purpose of determining surcharges
47 under this paragraph. The accumulation of points shall be

1 calculated as of the date the point violation is posted to the driver
2 history record and shall be levied pursuant to rules promulgated by
3 the commission. Surcharges assessed pursuant to this paragraph
4 shall be \$150.00 for six points, and \$25.00 for each additional
5 point. No offense shall be selected for billing which occurred prior
6 to February 10, 1983. No offense shall be considered for billing in
7 more than three annual assessments.

8 The commission shall not select any offense for billing which
9 occurred on or after the first day of the first month next following
10 the date the written notification required pursuant to subsection b.
11 of section 2 of P.L. , c. (C.) (pending before the Legislature
12 as this bill) is transmitted to the State Treasurer and the Chief
13 Administrator of the New Jersey Motor Vehicle Commission, and
14 shall have no legal authority to collect any surcharge, together with
15 any interest and administrative fees, that have been billed but
16 remain unpaid, or that may be billed and required to be paid, on or
17 after the that date.

18 (b) (Deleted by amendment, P.L.1984, c.1.)

19 (2) (a) Surcharges shall be levied pursuant to subsection f. of
20 section 1 of P.L.2000, c.75 (C.39:4-97.2) for each offense of unsafe
21 driving under subsection a. of that section occurring on or after July
22 24, 2000 but before the first day of the first month next following
23 the date the written notification required pursuant to subsection b.
24 of section 2 of P.L. , c. (C.) (pending before the Legislature
25 as this bill) is transmitted to the State Treasurer and the chief
26 administrator of the commission. The commission shall have no
27 legal authority to collect any surcharge, together with any interest
28 and administrative fees, that have been levied but remain unpaid, or
29 that may be levied and required to be paid, on or after that date.

30 (b) Surcharges shall be levied for convictions (i) under
31 R.S.39:4-50 for violations occurring on or after February 10, 1983
32 but before the first day of the first month next following the date the
33 written notification required pursuant to subsection b. of section 2
34 of P.L. , c. (C.) (pending before the Legislature as this bill)
35 is transmitted to the State Treasurer and the chief administrator of
36 the commission, and (ii) under section 2 of P.L.1981, c.512
37 (C.39:4-50.4a), or for offenses committed in other jurisdictions of a
38 substantially similar nature to those under R.S.39:4-50 or section 2
39 of P.L.1981, c.512 (C.39:4-50.4a), for violations occurring on or
40 after January 26, 1984 but before the first day of the first month
41 next following the date the written notification required pursuant to
42 subsection b. of section 2 of P.L. , c. (C.) (pending before
43 the Legislature as this bill) is transmitted to the State Treasurer and
44 the chief administrator of the commission. The commission shall
45 have no legal authority to collect any surcharge, together with any
46 interest and administrative fees, that have been levied but remain

1 unpaid, or that may be levied and required to be paid, on or after
2 that date.

3 Except as hereinafter provided, surcharges under this
4 subparagraph (b) shall be levied annually for a three-year period,
5 and shall be \$1,000.00 per year for each of the first two convictions,
6 for a total surcharge of \$3,000 for each conviction, and \$1,500.00
7 per year for the third conviction occurring within a three-year
8 period, for a total surcharge of \$4,500 for the third conviction. If a
9 driver is convicted under both R.S.39:4-50 and section 2 of
10 P.L.1981, c.512 (C.39:4-50.4a) for offenses arising out of the same
11 incident, the driver shall be assessed only one surcharge for the two
12 offenses.

13 If, upon written notification from the commission or its designee,
14 mailed to the last address of record with the commission, a driver
15 fails to pay a surcharge levied under this section and collectible by
16 the commission, the driving privilege of the driver shall be
17 suspended forthwith until at least five percent of each outstanding
18 surcharge assessment that has resulted in suspension is paid to the
19 commission; except that the commission may authorize payment of
20 the surcharge on an installment basis over a period of 12 months for
21 assessments under \$2,300 or 24 months for assessments of \$2,300
22 or more. The commission, for good cause, may authorize payment
23 of any surcharge on an installment basis over a period not to exceed
24 36 months. If a driver fails to pay the surcharge or any installments
25 on the surcharge, the total surcharge shall become due immediately,
26 except as otherwise prescribed by rule of the commission.

27 The commission may authorize any person to pay the surcharge
28 levied under this section and collectible by the commission by use
29 of a credit card, debit card or other electronic payment device, and
30 the chief administrator is authorized to require the person to pay all
31 costs incurred by the commission in connection with the acceptance
32 of the credit card, debit card or other electronic payment device. If
33 a surcharge or related administrative fee is paid by credit or debit
34 cards or any other electronic payment device and the amount is
35 subsequently reversed by the credit card company or bank, the
36 driving privilege of the surcharged driver shall be suspended and
37 the driver shall be subject to the fee imposed for dishonored checks
38 pursuant to section 31 of P.L.1994, c.60 (C.39:5-36.1).

39 In addition to any other remedy provided by law, the commission
40 is authorized to utilize the provisions of the SOIL (Set off of
41 Individual Liability) program established pursuant to P.L.1981,
42 c.239 (C.54A:9-8.1 et seq.) to collect any surcharge levied under
43 this section and collectible by the commission that is unpaid on or
44 after the effective date of this act but before the first day of the first
45 month next following the date the written notification required
46 pursuant to subsection b. of section 2 of P.L. _____, c. (C. _____)
47 (pending before the Legislature as this bill) is transmitted to the

1 State Treasurer and the chief administrator of the commission. As
2 an additional remedy, the commission may issue a certificate to the
3 Clerk of the Superior Court stating that the person identified in the
4 certificate is indebted under this surcharge law in such amount as
5 shall be stated in the certificate. The certificate shall reference the
6 statute under which the indebtedness arises. Thereupon the clerk to
7 whom such certificate shall have been issued shall immediately
8 enter upon the record of docketed judgments the name of such
9 person as debtor; the State as creditor; the address of such person, if
10 shown in the certificate; the amount of the debt so certified; a
11 reference to the statute under which the surcharge is assessed, and
12 the date of making such entries. The docketing of the entries shall
13 have the same force and effect as a civil judgment docketed in the
14 Superior Court, and the commission shall have all the remedies and
15 may take all of the proceedings for the collection thereof which may
16 be had or taken upon the recovery of a judgment in an action, but
17 without prejudice to any right of appeal. Upon entry by the clerk of
18 the certificate in the record of docketed judgments in accordance
19 with this provision, interest in the amount specified by the court
20 rules for post-judgment interest shall accrue from the date of the
21 docketing of the certificate, however payment of the interest may be
22 waived by the commission or its designee. In the event that the
23 surcharge remains unpaid following the issuance of the certificate
24 of debt and the commission takes any further collection action
25 including referral of the matter to the Attorney General or his
26 designee, the fee imposed, in lieu of the actual cost of collection,
27 may be 20 percent of surcharges of \$1,000 or more. The chief
28 administrator or his designee may establish a sliding scale, not to
29 exceed a maximum amount of \$200, for surcharge principal
30 amounts of less than \$1,000 at the time the certificate of debt is
31 forwarded to the Superior Court for filing. The commission shall
32 provide written notification to a driver of the proposed filing of the
33 certificate of debt at least 10 days prior to the proposed filing; such
34 notice shall be mailed to the driver's last address of record with the
35 commission. Upon the filing of a certificate of debt with the Clerk
36 of the Superior Court, the surcharged driver shall not be eligible for
37 the restoration of his driving privilege until at least five percent of
38 each outstanding surcharge assessment that has resulted in the
39 suspension, including interest and costs, if any, is paid to the
40 commission. If a certificate of debt is satisfied following a credit
41 card payment, debit card payment or payment by other electronic
42 payment device and that payment is reversed, a new certificate of
43 debt shall be filed against the surcharged driver unless the original
44 is reinstated.

45 If the chief administrator or his designee approves a special
46 payment plan, of such duration as the chief administrator or his
47 designee deems appropriate, for repayment of the certificate of debt,

1 and the driver is complying with the approved plan, the plan may be
2 continued for any new surcharge not part of the certificate of debt.

3 A certificate of indebtedness shall not be issued for any
4 surcharge levied under this section and collectible by the
5 commission that remains unpaid on or after the first day of the first
6 month next following the date the written notification required
7 pursuant to subsection b. of section 2 of P.L. , c. (C.)
8 (pending before the Legislature as this bill) is transmitted to the
9 State Treasurer and the chief administrator of the commission. Any
10 certificate issued on or before that date shall be deemed to be
11 satisfied by the commission.

12 All moneys collectible by the commission under subparagraph
13 (b) of paragraph (2) of this subsection **[b.]** shall be billed and
14 collected by the commission except as provided in P.L.1997, c.280
15 (C.2B:19-10 et al.) for the collection of unpaid surcharges.
16 Commencing on September 1, 1996, or such earlier time as the
17 Commissioner of Banking and Insurance shall certify to the State
18 Treasurer that amounts on deposit in the New Jersey Automobile
19 Insurance Guaranty Fund are sufficient to satisfy the current and
20 anticipated financial obligations of the New Jersey Automobile Full
21 Insurance Underwriting Association, all surcharges collected by the
22 commission under subparagraph (b) of paragraph (2) of this
23 subsection **[b.]** shall be remitted to the Division of Motor Vehicles
24 Surcharge Fund:

25 (i) for transfer to the Market Transition Facility Revenue Fund,
26 as provided in section 12 of P.L.1994, c.57 (C.34:1B-21.12), for the
27 purposes of section 4 of P.L.1994, c.57 (C.34:1B-21.4) until such a
28 time as all the Market Transition Facility bonds, notes and
29 obligations and all Motor Vehicle Commission bonds, notes and
30 obligations issued pursuant to that section 4 of P.L.1994, c.57
31 (C.34:1B-21.4) and the costs thereof are discharged and no longer
32 outstanding; and

33 (ii) from and after the date of certification by the Commissioner
34 of Banking and Insurance that the moneys collectible under
35 subparagraph (b) of paragraph (2) of this subsection **[b.]** are no
36 longer needed to fund the association or at such time as all Market
37 Transition Facility bonds, notes and obligations and all Motor
38 Vehicle Commission bonds, notes and obligations issued pursuant
39 to section 4 of P.L.1994, c.57 (C.34:1B-21.4) and the costs thereof
40 are discharged and no longer outstanding, for transfer to the Motor
41 Vehicle Surcharges Revenue Fund established pursuant to section 6
42 of the "Motor Vehicle Surcharges Securitization Act of 2004,"
43 P.L.2004, c.70 (C.34:1B-21.28) to be applied as set forth in section
44 6 of that act. From and after such time as all bonds issued under
45 section 4 of the "Motor Vehicle Surcharges Securitization Act of
46 2004," P.L.2004, c.70 (C.34:1B-21.26) and the costs thereof are
47 discharged and no longer outstanding, all surcharges collected by

1 the commission under subparagraph (b) of paragraph (2) of this
2 subsection **[b.]** shall, subject to appropriation, be remitted to the
3 New Jersey Property-Liability Insurance Guaranty Association
4 created pursuant to section 6 of P.L.1974, c.17 (C.17:30A-6) to be
5 used for payment of any loans made by that association to the New
6 Jersey Automobile Insurance Guaranty Fund pursuant to paragraph
7 (10) of subsection a. of section 8 of P.L.1974, c.17 (C.17:30A-8);
8 provided that all such payments shall be subject to and dependent
9 upon appropriation by the State Legislature.

10 All surcharges collected by the courts pursuant to subparagraph
11 (a) of paragraph (2) of this subsection **[b.]** shall be forwarded not
12 less frequently than monthly to the Division of Revenue in the
13 Department of the Treasury. The Division of Revenue shall
14 transfer: all such surcharges received prior to July 1, 2006, to the
15 General Fund, and commencing July 1, 2006, all such surcharges to
16 the Unsafe Driving Surcharge Revenue Fund established pursuant
17 to section 5 of the "Motor Vehicle Surcharges Securitization Act of
18 2004," P.L.2004, c.70 (C.34:1B-21.27) to be applied as set forth in
19 section 5 of that act. From and after such time as all bonds
20 (including refunding bonds), notes and other obligations issued
21 under section 4 of the "Motor Vehicle Surcharges Securitization Act
22 of 2004," P.L.2004, c.70 (C.34:1B-21.26), and the costs thereof are
23 discharged and no longer outstanding, all such surcharges collected
24 by the courts pursuant to subparagraph (a) of paragraph (2) of this
25 subsection **[b.]** and forwarded to the Division of Revenue shall be
26 transferred to the General Fund.

27 Upon request, the Administrative Office of the Courts shall
28 provide a monthly report to the Division of Revenue containing
29 information on the number of convictions for the offense of unsafe
30 driving pursuant to section 1 of P.L.2000, c.75 (C.39:4-97.2) that
31 were entered during such month, the amount of the surcharges that
32 were assessed by the courts pursuant to subsection f. of section 1 of
33 P.L.2000, c.75 (C.39:4-97.2) for such month, and the amount of the
34 surcharges collected by the courts pursuant to subsection f. of
35 section 1 of P.L.2000, c.75 (C.39:4-97.2) during such month.

36 (3) In addition to any other authority provided in P.L.1983, c.65
37 (C.17:29A-33 et al.), the commissioner, after consultation with the
38 commission, is specifically authorized (a) (Deleted by amendment,
39 P.L.1994, c.64), (b) to impose, in accordance with subparagraph (a)
40 of paragraph (1) of this subsection b., surcharges for motor vehicle
41 violations or convictions for which motor vehicle points are not
42 assessed under Title 39 of the Revised Statutes, or (c) to reduce the
43 number of points for which surcharges may be assessed below the
44 level provided in subparagraph (a) of paragraph (1) of this
45 subsection b., except that the dollar amount of all surcharges levied
46 under the Motor Vehicle Violations Surcharge System shall be
47 uniform on a Statewide basis for each filer, without regard to

1 classification or territory. Surcharges adopted by the commissioner
2 on or after January 1, 1984 for motor vehicle violations or
3 convictions for which motor vehicle points are not assessable under
4 Title 39 of the Revised Statutes shall not be retroactively applied
5 but shall take effect on the date of the New Jersey Register in which
6 notice of adoption appears or the effective date set forth in that
7 notice, whichever is later.

8 c. No motor vehicle violation surcharges shall be levied on an
9 automobile insurance policy issued or renewed on or after January
10 1, 1984, except in accordance with the Motor Vehicle Violations
11 Surcharge System, and all surcharges levied thereunder shall be
12 assessed, collected and distributed in accordance with subsection b.
13 of this section.

14 d. (Deleted by amendment, P.L.1990, c.8.)

15 e. The Commissioner of Banking and Insurance and the
16 commission as may be appropriate, shall adopt any rules and
17 regulations necessary or appropriate to effectuate the purposes of
18 this section.

19 (cf: P.L.2007, c.282, s.1)

20
21 4. (New section) a. Notwithstanding the provisions of any
22 other law to the contrary, all debts, including bonds, notes, and
23 other obligations and the costs thereof, which remain outstanding as
24 of the effective date of P.L. , c. (C.) (pending before the
25 Legislature as this bill) and that have a pledge of revenues derived
26 specifically from a surcharge imposed pursuant to section 6 of
27 P.L.1983, c.65 (C.17:29A-35), shall continue to be paid until those
28 debts have been repaid in full pursuant to the terms of those debt
29 contracts.

30 b. After the effective date of P.L. , c. (C.) (pending
31 before the Legislature as this bill), no new debts, including bonds,
32 refunding bonds, notes, and other obligations shall be issued which
33 pledge or include revenues derived from a surcharge imposed
34 pursuant to section 6 of P.L.1983, c.65 (C.17:29A-35) as a source
35 of funding for the repayment of those new bonds, so that once the
36 debts outstanding as of the effective date of P.L. , c. (C.)
37 (pending before the Legislature as this bill) have been retired, the
38 revenues collected pursuant to section 6 of P.L.1983, c.65
39 (C.17:29A-35) shall not be encumbered by a debt of any sort.

40 c. The provisions of this section shall not prohibit the State
41 from refinancing or refunding any outstanding debts, including
42 bonds, refunding bonds, notes, and other obligations, which remain
43 outstanding as of the effective date of P.L. , c. (C.) (pending
44 before the Legislature as this bill) and that have a pledge of
45 revenues derived specifically from a surcharge imposed pursuant to
46 section 6 of P.L.1983, c.65 (C.17:29A-35), as long as such

1 refinancing or refunding does not extend the maturity dates beyond
2 January 1, 2035.

3
4 5. Section 1 of P.L.2000, c.75 (C.39:4-97.2) is amended to read
5 as follows:

6 1. a. Notwithstanding any other provision of law to the
7 contrary, it shall be unlawful for any person to drive or operate a
8 motor vehicle in an unsafe manner likely to endanger a person or
9 property.

10 b. A person convicted of a first offense under subsection a. of
11 this section shall be subject to a fine of not less than \$50.00 or more
12 than \$150.00 and shall not be assessed any motor vehicle penalty
13 points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

14 c. A person convicted of a second offense under subsection a.
15 of this section shall be subject to a fine of not less than \$100.00 or
16 more than \$250.00 and shall not be assessed any motor vehicle
17 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

18 d. A person convicted of a third or subsequent offense under
19 subsection a. of this section shall be subject to a fine of not less
20 than \$200.00 or more than \$500.00 and shall be assessed motor
21 vehicle penalty points pursuant to section 1 of P.L.1982, c.43
22 (C.39:5-30.5).

23 e. An offense committed under this section that occurs more
24 than five years after the prior offense shall not be considered a
25 subsequent offense for the purpose of assessing motor vehicle
26 penalty points under subsection d. of this section.

27 f. In addition to any fine, fee or other charge imposed pursuant
28 to law, the court shall assess a person convicted of an offense under
29 subsection a. of this section a surcharge of \$250 which shall be
30 collected by the court and distributed to the Division of Revenue in
31 the Department of the Treasury as a New Jersey Merit Rating Plan
32 surcharge pursuant to subparagraph (a) of paragraph (2) of
33 subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35). The
34 surcharge shall be assessed for offenses occurring on or after July
35 24, 2000 but before the first day of the first month next following
36 the date the written notification required pursuant to subsection b.
37 of section 2 of P.L. , c. (C.) (pending before the Legislature
38 as this bill) is transmitted to the State Treasurer and the Chief
39 Administrator of the Motor Vehicle Commission. The commission
40 shall have no legal authority to collect any surcharge, together with
41 any interest and administrative fees, that have been assessed but
42 remain unpaid, or that may be levied and required to be paid, on or
43 after that date.

44 (cf: P.L.2004, c.69, s.1)

45
46 6. (New section) a. Notwithstanding the provisions of any
47 other law to the contrary, all debts, including bonds, refunding

1 bonds, notes, and other obligations and the costs thereof which
2 remain outstanding as of the effective date of P.L. , c. (C.)
3 (pending before the Legislature as this bill) and that have a pledge
4 of revenues derived specifically from a surcharge imposed pursuant
5 to section 1 of P.L.2000, c.75 (C.39:4-97.2), shall continue to be
6 paid until those debts have been repaid in full pursuant to the terms
7 of those debt contracts.

8 b. After the effective date of P.L. , c. (C.) (pending
9 before the Legislature as this bill), no new debts, including bonds,
10 notes, and other obligations shall be issued which pledges or
11 includes revenues derived from a surcharge imposed pursuant to
12 section 1 of P.L.2000, c.75 (C.39:4-97.2) as a source of funding for
13 the repayment of those new bonds, so that once the debts
14 outstanding as of the effective date of P.L. , c. (C.) (pending
15 before the Legislature as this bill) have been retired, the revenues
16 collected pursuant to section 1 of P.L.2000, c.75 (C.39:4-97.2) shall
17 not be encumbered by a debt of any sort.

18 c. The provisions of this section shall not prohibit the State
19 from refinancing or refunding any outstanding debts, including
20 bonds, refunding bonds, notes, and other obligations, which remain
21 outstanding as of the effective date of P.L. , c. (C.) (pending
22 before the Legislature as this bill) and that have a pledge of
23 revenues derived specifically from a surcharge imposed pursuant to
24 section 1 of P.L.2000, c.75 (C.39:4-97.2), as long as such
25 refinancing or refunding does not extend the maturity date beyond
26 January 1, 2035.

27

28 7. This act shall take effect immediately.

29

30

31

32

33 Eliminates motor vehicle surcharges following retirement of
34 bonds and debts tied to surcharges.

SENATE, No. 1508

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 5, 2018

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

CURRENT VERSION OF TEXT

As introduced.



S1508 TURNER

2

1 AN ACT concerning unsafe driving and points-based surcharge
2 system penalties and amending P.L.1983, c.65 and P.L.2000,
3 c.75.

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

7
8 1. Section 6 of P.L.1983, c.65 (C.17:29A-35) is amended to
9 read as follows:

10 6. a. (Deleted by amendment, P.L.1997, c.151.)

11 b. **【**There is created a Motor Vehicle Violations Surcharge
12 System which shall apply to all drivers and shall include, but not be
13 limited to, the following provisions:**】**

14 (1) (a) **【**Surcharges shall be levied, beginning on or after
15 January 1, 1984, by the New Jersey Motor Vehicle Commission
16 (hereinafter the "commission") established by section 4 of
17 P.L.2003, c.13 (C.39:2A-4) on any driver who, in the preceding 36-
18 month period, has accumulated six or more motor vehicle points, as
19 provided in Title 39 of the Revised Statutes; except that the
20 allowance for a reduction of points in Title 39 of the Revised
21 Statutes shall not apply for the purpose of determining surcharges
22 under this paragraph. The accumulation of points shall be
23 calculated as of the date the point violation is posted to the driver
24 history record and shall be levied pursuant to rules promulgated by
25 the commission. Surcharges assessed pursuant to this paragraph
26 shall be \$150.00 for six points, and \$25.00 for each additional
27 point. No offense shall be selected for billing which occurred prior
28 to February 10, 1983. No offense shall be considered for billing in
29 more than three annual assessments.**】** (Deleted by amendment,
30 P.L. , c.) (pending before the Legislature as this bill)

31 (b) (Deleted by amendment, P.L.1984, c.1.)

32 (2) **【**(a) Surcharges shall be levied pursuant to subsection f. of
33 section 1 of P.L.2000, c.75 (C.39:4-97.2) for each offense of unsafe
34 driving under subsection a. of that section.

35 (b) Surcharges shall be levied for convictions (i) under
36 R.S.39:4-50 for violations occurring on or after February 10, 1983,
37 and (ii) under section 2 of P.L.1981, c.512 (C.39:4-50.4a), or for
38 offenses committed in other jurisdictions of a substantially similar
39 nature to those under R.S.39:4-50 or section 2 of P.L.1981, c.512
40 (C.39:4-50.4a), for violations occurring on or after January 26,
41 1984. Except as hereinafter provided, surcharges under this
42 subparagraph (b) shall be levied annually for a three-year period,
43 and shall be \$1,000.00 per year for each of the first two convictions,
44 for a total surcharge of \$3,000 for each conviction, and \$1,500.00
45 per year for the third conviction occurring within a three-year

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.

1 period, for a total surcharge of \$4,500 for the third conviction. If a
2 driver is convicted under both R.S.39:4-50 and section 2 of
3 P.L.1981, c.512 (C.39:4-50.4a) for offenses arising out of the same
4 incident, the driver shall be assessed only one surcharge for the two
5 offenses. **】** For any surcharges imposed prior to the elimination of
6 surcharges pursuant to P.L. , c. (pending before the Legislature
7 as this bill):

8 If, upon written notification from the commission or its designee,
9 mailed to the last address of record with the commission, a driver
10 fails to pay a surcharge levied under this section and collectible by
11 the commission, the driving privilege of the driver shall be
12 suspended forthwith until at least five percent of each outstanding
13 surcharge assessment that has resulted in suspension is paid to the
14 commission; except that the commission may authorize payment of
15 the surcharge on an installment basis over a period of 12 months for
16 assessments under \$2,300 or 24 months for assessments of \$2,300
17 or more. The commission, for good cause, may authorize payment
18 of any surcharge on an installment basis over a period not to exceed
19 36 months. If a driver fails to pay the surcharge or any installments
20 on the surcharge, the total surcharge shall become due immediately,
21 except as otherwise prescribed by rule of the commission.

22 The commission may authorize any person to pay the surcharge
23 levied under this section and collectible by the commission by use
24 of a credit card, debit card or other electronic payment device, and
25 the chief administrator is authorized to require the person to pay all
26 costs incurred by the commission in connection with the acceptance
27 of the credit card, debit card or other electronic payment device. If
28 a surcharge or related administrative fee is paid by credit or debit
29 cards or any other electronic payment device and the amount is
30 subsequently reversed by the credit card company or bank, the
31 driving privilege of the surcharged driver shall be suspended and
32 the driver shall be subject to the fee imposed for dishonored checks
33 pursuant to section 31 of P.L.1994, c.60 (C.39:5-36.1).

34 In addition to any other remedy provided by law, the commission
35 is authorized to utilize the provisions of the SOIL (Set off of
36 Individual Liability) program established pursuant to P.L.1981,
37 c.239 (C.54A:9-8.1 et seq.) to collect any surcharge levied under
38 this section and collectible by the commission that is unpaid on or
39 after the effective date of this act. As an additional remedy, the
40 commission may issue a certificate to the Clerk of the Superior
41 Court stating that the person identified in the certificate is indebted
42 under this surcharge law in such amount as shall be stated in the
43 certificate. The certificate shall reference the statute under which
44 the indebtedness arises. Thereupon the clerk to whom such
45 certificate shall have been issued shall immediately enter upon the
46 record of docketed judgments the name of such person as debtor;
47 the State as creditor; the address of such person, if shown in the
48 certificate; the amount of the debt so certified; a reference to the

1 statute under which the surcharge is assessed, and the date of
2 making such entries. The docketing of the entries shall have the
3 same force and effect as a civil judgment docketed in the Superior
4 Court, and the commission shall have all the remedies and may take
5 all of the proceedings for the collection thereof which may be had
6 or taken upon the recovery of a judgment in an action, but without
7 prejudice to any right of appeal. Upon entry by the clerk of the
8 certificate in the record of docketed judgments in accordance with
9 this provision, interest in the amount specified by the court rules for
10 post-judgment interest shall accrue from the date of the docketing
11 of the certificate, however payment of the interest may be waived
12 by the commission or its designee. In the event that the surcharge
13 remains unpaid following the issuance of the certificate of debt and
14 the commission takes any further collection action including
15 referral of the matter to the Attorney General or his designee, the
16 fee imposed, in lieu of the actual cost of collection, may be 20
17 percent of surcharges of \$1,000 or more. The chief administrator or
18 his designee may establish a sliding scale, not to exceed a maximum
19 amount of \$200, for surcharge principal amounts of less than \$1,000
20 at the time the certificate of debt is forwarded to the Superior Court
21 for filing. The commission shall provide written notification to a
22 driver of the proposed filing of the certificate of debt at least 10
23 days prior to the proposed filing; such notice shall be mailed to the
24 driver's last address of record with the commission. Upon the filing
25 of a certificate of debt with the Clerk of the Superior Court, the
26 surcharged driver shall not be eligible for the restoration of his
27 driving privilege until at least five percent of each outstanding
28 surcharge assessment that has resulted in the suspension, including
29 interest and costs, if any, is paid to the commission. If a certificate
30 of debt is satisfied following a credit card payment, debit card
31 payment or payment by other electronic payment device and that
32 payment is reversed, a new certificate of debt shall be filed against
33 the surcharged driver unless the original is reinstated.

34 If the chief administrator or his designee approves a special
35 payment plan, of such duration as the chief administrator or his
36 designee deems appropriate, for repayment of the certificate of debt,
37 and the driver is complying with the approved plan, the plan may be
38 continued for any new surcharge not part of the certificate of debt.

39 All moneys collectible by the commission under subparagraph
40 (b) of paragraph (2) of this subsection **[b.]** shall be billed and
41 collected by the commission except as provided in P.L.1997, c.280
42 (C.2B:19-10 et al.) for the collection of unpaid surcharges.
43 Commencing on September 1, 1996, or such earlier time as the
44 Commissioner of Banking and Insurance shall certify to the State
45 Treasurer that amounts on deposit in the New Jersey Automobile
46 Insurance Guaranty Fund are sufficient to satisfy the current and
47 anticipated financial obligations of the New Jersey Automobile Full
48 Insurance Underwriting Association, all surcharges collected by the

1 commission under subparagraph (b) of paragraph (2) of this
2 subsection **[b.]** shall be remitted to the Division of Motor Vehicles
3 Surcharge Fund:

4 (i) for transfer to the Market Transition Facility Revenue Fund,
5 as provided in section 12 of P.L.1994, c.57 (C.34:1B-21.12), for the
6 purposes of section 4 of P.L.1994, c.57 (C.34:1B-21.4) until such a
7 time as all the Market Transition Facility bonds, notes and
8 obligations and all Motor Vehicle Commission bonds, notes and
9 obligations issued pursuant to that section 4 of P.L.1994, c.57
10 (C.34:1B-21.4) and the costs thereof are discharged and no longer
11 outstanding; and

12 (ii) from and after the date of certification by the Commissioner
13 of Banking and Insurance that the moneys collectible under
14 subparagraph (b) of paragraph (2) of this subsection **[b.]** are no
15 longer needed to fund the association or at such time as all Market
16 Transition Facility bonds, notes and obligations and all Motor
17 Vehicle Commission bonds, notes and obligations issued pursuant
18 to section 4 of P.L.1994, c.57 (C.34:1B-21.4) and the costs thereof
19 are discharged and no longer outstanding, for transfer to the Motor
20 Vehicle Surcharges Revenue Fund established pursuant to section 6
21 of the "Motor Vehicle Surcharges Securitization Act of 2004,"
22 P.L.2004, c.70 (C.34:1B-21.28) to be applied as set forth in section
23 6 of that act. From and after such time as all bonds issued under
24 section 4 of the "Motor Vehicle Surcharges Securitization Act of
25 2004," P.L.2004, c.70 (C.34:1B-21.26) and the costs thereof are
26 discharged and no longer outstanding, all surcharges collected by
27 the commission under subparagraph (b) of paragraph (2) of this
28 subsection **[b.]** shall, subject to appropriation, be remitted to the
29 New Jersey Property-Liability Insurance Guaranty Association
30 created pursuant to section 6 of P.L.1974, c.17 (C.17:30A-6) to be
31 used for payment of any loans made by that association to the New
32 Jersey Automobile Insurance Guaranty Fund pursuant to paragraph
33 (10) of subsection a. of section 8 of P.L.1974, c.17 (C.17:30A-8);
34 provided that all such payments shall be subject to and dependent
35 upon appropriation by the State Legislature.

36 All surcharges collected by the courts pursuant to subparagraph
37 (a) of paragraph (2) of this subsection **[b.]** shall be forwarded not
38 less frequently than monthly to the Division of Revenue in the
39 Department of the Treasury. The Division of Revenue shall
40 transfer: all such surcharges received prior to July 1, 2006, to the
41 General Fund, and commencing July 1, 2006, all such surcharges to
42 the Unsafe Driving Surcharge Revenue Fund established pursuant
43 to section 5 of the "Motor Vehicle Surcharges Securitization Act of
44 2004," P.L.2004, c.70 (C.34:1B-21.27) to be applied as set forth in
45 section 5 of that act. From and after such time as all bonds
46 (including refunding bonds), notes and other obligations issued
47 under section 4 of the "Motor Vehicle Surcharges Securitization Act
48 of 2004," P.L.2004, c.70 (C.34:1B-21.26), and the costs thereof are

1 discharged and no longer outstanding, all such surcharges collected
2 by the courts pursuant to subparagraph (a) of paragraph (2) of this
3 subsection **[b.]** and forwarded to the Division of Revenue shall be
4 transferred to the General Fund.

5 Upon request, the Administrative Office of the Courts shall
6 provide a monthly report to the Division of Revenue containing
7 information on the number of convictions for the offense of unsafe
8 driving pursuant to section 1 of P.L.2000, c.75 (C.39:4-97.2) that
9 were entered during such month, the amount of the surcharges that
10 were assessed by the courts pursuant to subsection f. of section 1 of
11 P.L.2000, c.75 (C.39:4-97.2) for such month, and the amount of the
12 surcharges collected by the courts pursuant to subsection f. of
13 section 1 of P.L.2000, c.75 (C.39:4-97.2) during such month.

14 (3) **[In addition to any other authority provided in P.L.1983,**
15 **c.65 (C.17:29A-33 et al.), the commissioner, after consultation with**
16 **the commission, is specifically authorized]** (a) (Deleted by
17 amendment, P.L.1994, c.64), (b) **[to impose, in accordance with**
18 **subparagraph (a) of paragraph (1) of this subsection b., surcharges**
19 **for motor vehicle violations or convictions for which motor vehicle**
20 **points are not assessed under Title 39 of the Revised Statutes, or (c)**
21 **to reduce the number of points for which surcharges may be**
22 **assessed below the level provided in subparagraph (a) of paragraph**
23 **(1) of this subsection b., except that the dollar amount of all**
24 **surcharges levied under the Motor Vehicle Violations Surcharge**
25 **System shall be uniform on a Statewide basis for each filer, without**
26 **regard to classification or territory. Surcharges adopted by the**
27 **commissioner on or after January 1, 1984 for motor vehicle**
28 **violations or convictions for which motor vehicle points are not**
29 **assessable under Title 39 of the Revised Statutes shall not be**
30 **retroactively applied but shall take effect on the date of the New**
31 **Jersey Register in which notice of adoption appears or the effective**
32 **date set forth in that notice, whichever is later.]** (Deleted by
33 amendment, P.L. , c.) (pending before the Legislature as this
34 bill)

35 c. No motor vehicle violation surcharges shall be levied on an
36 automobile insurance policy issued or renewed on or after January
37 1, 1984**],** except in accordance with the Motor Vehicle Violations
38 Surcharge System, and all surcharges levied thereunder shall be
39 assessed, collected and distributed in accordance with subsection b.
40 of this section**].**

41 d. (Deleted by amendment, P.L.1990, c.8.)

42 e. The Commissioner of Banking and Insurance and the
43 commission as may be appropriate, shall adopt any rules and
44 regulations necessary or appropriate to effectuate the purposes of
45 this section.

46 f. Commencing with the enactment of P.L. , c.) (pending
47 before the Legislature as this bill), any revenues derived pursuant to

S1508 TURNER

7

1 this section shall not be pledged as the source of funds to repay any
2 debt.

3 (cf: P.L.2007, c.282, s.1)

4

5 2. Section 1 of P.L.2000, c.75 (C.39:4-97.2) is amended to read
6 as follows:

7 1. a. Notwithstanding any other provision of law to the
8 contrary, it shall be unlawful for any person to drive or operate a
9 motor vehicle in an unsafe manner likely to endanger a person or
10 property.

11 b. A person convicted of a first offense under subsection a. of
12 this section shall be subject to a fine of not less than \$50.00 or more
13 than \$150.00 and shall not be assessed any motor vehicle penalty
14 points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

15 c. A person convicted of a second offense under subsection a.
16 of this section shall be subject to a fine of not less than \$100.00 or
17 more than \$250.00 and shall not be assessed any motor vehicle
18 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

19 d. A person convicted of a third or subsequent offense under
20 subsection a. of this section shall be subject to a fine of not less
21 than \$200.00 or more than \$500.00 and shall be assessed motor
22 vehicle penalty points pursuant to section 1 of P.L.1982, c.43
23 (C.39:5-30.5).

24 e. An offense committed under this section that occurs more
25 than five years after the prior offense shall not be considered a
26 subsequent offense for the purpose of assessing motor vehicle
27 penalty points under subsection d. of this section.

28 f. **【In addition to any fine, fee or other charge imposed**
29 **pursuant to law, the court shall assess a person convicted of an**
30 **offense under subsection a. of this section a surcharge of \$250**
31 **which shall be collected by the court and distributed to the Division**
32 **of Revenue in the Department of the Treasury as a New Jersey**
33 **Merit Rating Plan surcharge pursuant to subparagraph (a) of**
34 **paragraph (2) of subsection b. of section 6 of P.L.1983, c.65**
35 **(C.17:29A-35)】 (Deleted by amendment, P.L. , c.) (pending**
36 **before the Legislature as this bill)**

37 **g. Commencing with the enactment of P.L. , c.) (pending**
38 **before the Legislature as this bill), any revenues derived pursuant to**
39 **this section shall not be pledged as the source of funds to repay any**
40 **debt.**

41 (cf: P.L.2004, c.69, s.1)

42

43 3. Subsection f. of section 1 of this act and subsection g. of
44 section 2 of this act shall take effect immediately. The remaining
45 provisions of this act shall take effect after such time as all bonds,
46 including refunding bonds, notes, and other obligations and the
47 costs thereof are discharged and no longer outstanding from bonds
48 issued pursuant to section 4 of the "Motor Vehicle Surcharges

1 Securitization Act of 2004," P.L.2004, c.70 (C.34:1B-21.26), loans
2 made by the New Jersey Property-Liability Insurance Guaranty
3 Association to the New Jersey Automobile Insurance Guaranty
4 Fund pursuant to paragraph (10) of subsection a. of section 8 of
5 P.L.1974, c.17 (C.17:30A-8), bonds issued pursuant to section 4 of
6 P.L.1994, c.57 (C.34:1B-21.4), and any other debt for which
7 revenues from section 6 of P.L.1983, c.65 (C.17:29A-35) or
8 subsection f. of section 1 of P.L.2000, c.75 (C.39:4-97.2) are
9 directly pledged, or from funds in which the revenues of the
10 aforementioned statutory sections are deposited for the repayment
11 of debt.

12

13

14 STATEMENT

15

16 This bill eliminates the points-based MVC surcharge system as
17 well as the surcharges attached to unsafe driving violations.
18 Because there are a number of bonds payable directly from
19 surcharge revenues, the date on which the surcharge system is
20 eliminated is delayed until those bonds have been fully retired.
21 Additionally, the bill requires that no new bonds are to be issued
22 against surcharge revenues.

23 The bill does not change the amounts owed for surcharge fines
24 already imposed or the methods available to the State to recover
25 unpaid surcharge fines. The bill also does not alter how surcharge
26 revenues are to be utilized prior to the elimination of the surcharge
27 system.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1508**

STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Assembly Budget Committee reports favorably Senate Bill No. 1508 (SCS).

This bill eliminates the MVC surcharge system for surcharges attached to unsafe driving violations, DWI violations, points based violations, and regulatory violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Upon retirement of the surcharge system the MVC is to have no legal authority to collect outstanding surcharge debts including interest and administrative fees, including any of the enhanced collection methods permitted under current law, such as the Set Off of Individual Liability program or certificates of indebtedness for surcharge system based penalties. Additionally, the substitute requires that no new bonds are to be issued against surcharge revenues; however the substitute does permit for refunding of existing surcharge bonds as long as the final maturity date does not extend beyond January 1, 2035, the current final maturity of outstanding surcharge bonds.

The substitute requires the New Jersey Commission on Capital Budgeting and Planning to include a summary of motor vehicle surcharge revenue bond repayments and issuances in the annual State Capital Improvement Plan, and upon repayment of all outstanding bonds with a pledge of surcharge revenues, provide written notice to the State Treasurer and Chief Administrator of the MVC that surcharge bonds have been paid in full and that no new surcharge bonds are to be issued. This notice will serve as the trigger in the substitute for the elimination of surcharge system based penalties which will take place on the first day of the first month following the notice.

The substitute does not change the amounts owed for surcharge fines already imposed, or the methods available to the State to recover unpaid surcharge fines, prior to the retirement of all currently outstanding surcharge bonds. The substitute also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

As reported, this bill is identical to committee substitute for Assembly Bill No. 4921, as also reported by the committee.

FISCAL ESTIMATE:

This bill is likely to have no State fiscal impact until January 1, 2035, the date on which existing surcharge bonds are scheduled to be completely retired. At that point, the State is likely to experience reduced revenue equal to the amount of surcharge fees, fines, and penalties collected in that year. The amount that would be collected at that point is indeterminate due to uncertainty concerning the distant time horizon. In the most recent 2017 series surcharge bond refunding statement, the 2017 dedicated motor vehicle surcharge revenue collections from unsafe driving, points, DWI, and regulatory violations was \$132 million and projected to decrease at a rate of 2% annually. If that trend held, the expected dedicated revenue would be approximately \$92 million.

Additionally, due to the requirement under the substitute that unpaid surcharge fines, fees, and penalties stop being collected after the retirement of the bonds, it is possible that as the bonds become closer to being retired, individuals will strategically choose not to repay the debts in anticipation of when the State will stop collecting on the debt. This could have an impact on collections at some point prior to the January 1, 2035 final maturity date.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1508

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Transportation Committee reports favorably Senate Bill No. 1508.

As reported, this bill eliminates the points-based MVC surcharge system as well as the surcharges attached to unsafe driving violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Additionally, the bill requires that no new bonds are to be issued against surcharge revenues.

The bill does not change the amounts owed for surcharge fines already imposed or the methods available to the State to recover unpaid surcharge fines. The bill also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1508**

STATE OF NEW JERSEY

DATED: MARCH 4, 2019

The Senate Budget and Appropriations Committee reports favorably a Senate Committee Substitute for Senate Bill No. 1508.

As reported, this committee substitute eliminates the MVC surcharge system for surcharges attached to unsafe driving violations, DWI violations, points based violations, and regulatory violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Upon retirement of the surcharge system the MVC is to have no legal authority to collect outstanding surcharge debts including interest and administrative fees, including any of the enhanced collection methods permitted under current law, such as the Set Off of Individual Liability program or certificates of indebtedness for surcharge system based penalties. Additionally, the substitute requires that no new bonds are to be issued against surcharge revenues; however the substitute does permit for refunding of existing surcharge bonds as long as the final maturity date does not extend beyond January 1, 2035, the current final maturity of outstanding surcharge bonds.

The substitute requires the New Jersey Commission on Capital Budgeting and Planning to include a summary of motor vehicle surcharge revenue bond repayments and issuances in the annual State Capital Improvement Plan, and upon repayment of all outstanding bonds with a pledge of surcharge revenues, provide written notice to the State Treasurer and Chief Administrator of the MVC that surcharge bonds have been paid in full and that no new surcharge bonds are to be issued. This notice will serve as the trigger in the substitute for the elimination of surcharge system based penalties which will take place on the first day of the first month following the notice.

The substitute does not change the amounts owed for surcharge fines already imposed, or the methods available to the State to recover unpaid surcharge fines, prior to the retirement of all currently outstanding surcharge bonds. The substitute also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

FISCAL ESTIMATE:

This bill is likely to have no State fiscal impact until January 1, 2035, the date on which existing surcharge bonds are scheduled to be completely retired. At that point, the State is likely to experience reduced revenue equal to the amount of surcharge fees, fines, and penalties collected in that year. The amount that would be collected at that point is indeterminate due to uncertainty concerning the distant time horizon. In the most recent 2017 series surcharge bond refunding statement, the 2017 dedicated motor vehicle surcharge revenue collections from unsafe driving, points, DWI, and regulatory violations was \$132 million and projected to decrease at a rate of 2% annually. If that trend held, the expected dedicated revenue would be approximately \$92 million. Additionally, due to the requirement under the substitute that unpaid surcharge fines, fees, and penalties stop being collected after the retirement of the bonds, it is possible that as the bonds become closer to being retired, individuals will strategically choose not to repay the debts in anticipation of when the State will stop collecting on the debt. This could have an impact on collections at some point prior to the January 1, 2035 final maturity date.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 1508
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: SEPTEMBER 17, 2018

SUMMARY

Synopsis: Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

Type of Impact: Decreased State revenue.

Agencies Affected: Department of Treasury

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2035 and beyond</u>
State Revenue Loss	\$25 million to \$34.6 million

- The bill eliminates surcharges imposed on unsafe driving and points based violations, once all bonds tied to those surcharges are retired. There are currently bonds tied to those surcharges that are not due to be fully retired until 2034, meaning that the earliest the surcharges could be repealed is in 2035.
- Recent bond documents indicate that the 2016 calendar year collections of unsafe driving surcharges was approximately \$20.5 million and collections for points based surcharges was \$14.1 million, assuming flat collections going forwards accounts for the upper estimated impact of \$34.6 million in lost revenue in 2035. However, the bond documents note a trend of declining surcharge revenue and assume an annual decline of approximately 2 percent per year in surcharge revenues going forward. Applying this rate of decline to the unsafe and points surcharges would result in 2035 revenues of approximately \$14.8 million and \$10.2 million respectively, representing the lower range of the estimated revenue impact.

BILL DESCRIPTION

This bill eliminates the points-based MVC surcharge system as well as the surcharges attached to unsafe driving violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed

until those bonds have been fully retired. Additionally, the bill requires that no new bonds are to be issued against surcharge revenues.

The bill does not change the amounts owed for surcharge fines already imposed or the methods available to the State to recover unpaid surcharge fines. The bill also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The bill eliminates surcharges imposed on unsafe driving and points based violations, once all bonds tied to those surcharges are retired. There are currently bonds tied to those surcharges that are not due to be fully retired until 2034, meaning that the earliest the surcharges could be repealed is in 2035. For the period from FY 2018 through 2034, the bill will have no fiscal impact.

Recent bond documents indicate that the 2016 calendar year collections of unsafe driving surcharges was approximately \$20.5 million and collections for points based surcharges was \$14.1 million, assuming flat collections going forwards accounts for the upper estimated impact of \$34.6 million in lost revenue in 2035. However, the bond documents note a trend of declining surcharge revenue and assume an annual decline of approximately 2 percent per year in surcharge revenues going forward. Applying this rate of decline to the unsafe and points surcharges would result in 2035 revenues of approximately \$14.8 million and \$10.2 million respectively, representing the lower range of the estimated revenue impact.

The upper range of this estimate is included because it is not clear that the recent downward trend in collections is due to factors that will continue into the future. One possible explanation is that it is possible that some of the recent downward trend in violations is due to continued changes in driver behavior due to the severity of surcharge penalties. It may be the case that there is full awareness of the penalties and the behavioral change is slowing. Going forward, there may be a natural rate of violations at a given penalty level that will cause the rate of violations and revenues to stabilize in the near term. The lack of knowledge about exactly what has caused decreases in violations and collections over the last ten years, and a lack of knowledge about driver behavior in the next 16 years, is the reason for using a range that includes current revenues.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Lead Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1508
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: APRIL 3, 2019

SUMMARY

Synopsis: Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

Type of Impact: Decreased State revenue.

Agencies Affected: Department of the Treasury

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2035 and beyond</u>
State Revenue Loss	\$90 million to \$93 million per year

- The Office of Legislative Services (OLS) finds that this substitute eliminates surcharges imposed on unsafe driving violations, DWI violations, points based violations, and regulatory violations, once all bonds tied to those surcharges are retired. There is notable uncertainty about how these revenues will change by the projected 2035 retirement of the bonds, but may be in the range of \$90 to \$93 million in lost State revenue.
- Recent bond documents indicate that the 2017 calendar year collections for fines for unsafe driving violations, DWI violations, points based violations, and regulatory violations was approximately \$132 million. The bond documents also projected declining surcharge revenue at a rate of approximately 2 percent per year going forward. Applying a broader range of 1 percent to 3 percent in annual decline would result in 2035 revenue reductions of approximately \$90 to \$93 million per year after rounding.
- By establishing ahead of time that the elimination of the surcharge system will be delayed until after the retirement of the bonds, it is also possible that some individuals will strategically stop paying surcharge debts at some point prior to 2035, which may impact the timing of the retirement of bonds whether or not the bonds are repaid in full.

BILL DESCRIPTION

This committee substitute eliminates the MVC surcharge system for surcharges attached to unsafe driving violations, DWI violations, points based violations, and regulatory

violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Upon retirement of the surcharge system the MVC is to have no legal authority to collect outstanding surcharge debts including interest and administrative fees, including any of the enhanced collection methods permitted under current law, such as the Set Off of Individual Liability program or certificates of indebtedness for surcharge system based penalties. Additionally, the substitute requires that no new bonds are to be issued against surcharge revenues; however the substitute does permit refunding of existing surcharge bonds as long as the final maturity date does not extend beyond January 1, 2035, the current final maturity of outstanding surcharge bonds.

The substitute requires the New Jersey Commission on Capital Budgeting and Planning to include a summary of motor vehicle surcharge revenue bond repayments and issuances in the annual State Capital Improvement Plan, and upon repayment of all outstanding bonds with a pledge of surcharge revenues, provide written notice to the State Treasurer and Chief Administrator of the MVC that surcharge bonds have been paid in full and that no new surcharge bonds are to be issued. This notice will serve as the trigger in the substitute for the elimination of surcharge system based penalties which will take place on the first day of the first month following the notice.

The substitute does not change the amounts owed for surcharge fines already imposed, or the methods available to the State to recover unpaid surcharge fines, prior to the retirement of all currently outstanding surcharge bonds. The substitute also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this substitute is likely to have no State fiscal impact until January 1, 2035, the date on which existing surcharge bonds are scheduled to be completely retired. At that point, the State is likely to experience reduced revenue equal to the amount of surcharge fees, fines, and penalties collected in that year. The amount that would be collected at that point is indeterminate due to uncertainty concerning the distant time horizon, but may be between \$90 million and \$93 million if current trends in surcharge revenue collections hold constant over time.

In the most recent 2017 series surcharge bond refunding statement, the 2017 dedicated motor vehicle surcharge revenues from unsafe driving, points, DWI, and regulatory violations was \$132 million and projected to decrease at a rate of 2% annually. If that trend holds, the expected dedicated revenue would be approximately \$92 million. If the decline were slower at 1% annually, the reduction would approximate \$93 million in 2035, while if the decline were to be faster at 3% per year, the reduction would approximate \$90 million in 2035, establishing a likely range in revenue if current trends were largely to stay in place. If the underlying trends in surcharge were to shift over the next 16 years, the revenue could be higher or lower by an unknown amount.

Additionally, due to the requirement under the substitute that unpaid surcharge fines, fees, and penalties stop being collected after the retirement of the bonds, it is possible that as the bonds become closer to being retired, individuals will strategically choose not to repay the debts in anticipation of when the State will stop collecting the debt. This could have an impact on collections at some point prior to the January 1, 2035 final maturity date. The pledge behind these bonds is not for a fixed payment until maturity, but rather a pledge of all surcharge revenue, after accounting for \$7.5 million retained by the State, until the principal and interest have been repaid, or 2035, whichever comes first. Thus, if revenues remain high, the bonds may be retired earlier than 2035, and if revenues decline faster than anticipated the bonds could expire in 2035 with unpaid amounts. In the event that strategic non-payment extends the final maturity date to 2035 when the bonds would have been retired, that could increase State revenues by extending the length of time when the State can retain \$7.5 million per year under the bond agreement. It would also likely decrease the amount ultimately recovered by bond holders.

The lack of knowledge about exactly what has caused decreases in violations and collections over the last ten years, and a lack of knowledge about driver behavior in the next 16 years, and repayment behavior by those who owe surcharge debts, is the reason for considering the amount of lost revenue as indeterminate despite having a discreet projection based on the current rate of revenue change.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 4921

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 24, 2019

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Holley and Johnson

SYNOPSIS

Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

CURRENT VERSION OF TEXT

As introduced.



A4921 REYNOLDS-JACKSON, SUMTER

2

1 AN ACT concerning unsafe driving and points-based surcharge
2 system penalties and amending P.L.1983, c.65 and P.L.2000,
3 c.75.

4

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

7

8 1. Section 6 of P.L.1983, c.65 (C.17:29A-35) is amended to
9 read as follows:

10 6. a. (Deleted by amendment, P.L.1997, c.151.)

11 b. **【**There is created a Motor Vehicle Violations Surcharge
12 System which shall apply to all drivers and shall include, but not be
13 limited to, the following provisions:**】**

14 (1) (a) **【**Surcharges shall be levied, beginning on or after
15 January 1, 1984, by the New Jersey Motor Vehicle Commission
16 (hereinafter the "commission") established by section 4 of
17 P.L.2003, c.13 (C.39:2A-4) on any driver who, in the preceding 36-
18 month period, has accumulated six or more motor vehicle points, as
19 provided in Title 39 of the Revised Statutes; except that the
20 allowance for a reduction of points in Title 39 of the Revised
21 Statutes shall not apply for the purpose of determining surcharges
22 under this paragraph. The accumulation of points shall be
23 calculated as of the date the point violation is posted to the driver
24 history record and shall be levied pursuant to rules promulgated by
25 the commission. Surcharges assessed pursuant to this paragraph
26 shall be \$150.00 for six points, and \$25.00 for each additional
27 point. No offense shall be selected for billing which occurred prior
28 to February 10, 1983. No offense shall be considered for billing in
29 more than three annual assessments.**】** (Deleted by amendment,
30 P.L. , c.) (pending before the Legislature as this bill)

31 (b) (Deleted by amendment, P.L.1984, c.1.)

32 (2) **【**(a) Surcharges shall be levied pursuant to subsection f. of
33 section 1 of P.L.2000, c.75 (C.39:4-97.2) for each offense of unsafe
34 driving under subsection a. of that section.

35 (b) Surcharges shall be levied for convictions (i) under
36 R.S.39:4-50 for violations occurring on or after February 10, 1983,
37 and (ii) under section 2 of P.L.1981, c.512 (C.39:4-50.4a), or for
38 offenses committed in other jurisdictions of a substantially similar
39 nature to those under R.S.39:4-50 or section 2 of P.L.1981, c.512
40 (C.39:4-50.4a), for violations occurring on or after January 26,
41 1984. Except as hereinafter provided, surcharges under this
42 subparagraph (b) shall be levied annually for a three-year period,
43 and shall be \$1,000.00 per year for each of the first two convictions,
44 for a total surcharge of \$3,000 for each conviction, and \$1,500.00
45 per year for the third conviction occurring within a three-year

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.

1 period, for a total surcharge of \$4,500 for the third conviction. If a
2 driver is convicted under both R.S.39:4-50 and section 2 of
3 P.L.1981, c.512 (C.39:4-50.4a) for offenses arising out of the same
4 incident, the driver shall be assessed only one surcharge for the two
5 offenses. For any surcharges imposed prior to the elimination of
6 surcharges pursuant to P.L. , c. (pending before the Legislature
7 as this bill):

8 If, upon written notification from the commission or its designee,
9 mailed to the last address of record with the commission, a driver
10 fails to pay a surcharge levied under this section and collectible by
11 the commission, the driving privilege of the driver shall be
12 suspended forthwith until at least five percent of each outstanding
13 surcharge assessment that has resulted in suspension is paid to the
14 commission; except that the commission may authorize payment of
15 the surcharge on an installment basis over a period of 12 months for
16 assessments under \$2,300 or 24 months for assessments of \$2,300
17 or more. The commission, for good cause, may authorize payment
18 of any surcharge on an installment basis over a period not to exceed
19 36 months. If a driver fails to pay the surcharge or any installments
20 on the surcharge, the total surcharge shall become due immediately,
21 except as otherwise prescribed by rule of the commission.

22 The commission may authorize any person to pay the surcharge
23 levied under this section and collectible by the commission by use
24 of a credit card, debit card or other electronic payment device, and
25 the chief administrator is authorized to require the person to pay all
26 costs incurred by the commission in connection with the acceptance
27 of the credit card, debit card or other electronic payment device. If
28 a surcharge or related administrative fee is paid by credit or debit
29 cards or any other electronic payment device and the amount is
30 subsequently reversed by the credit card company or bank, the
31 driving privilege of the surcharged driver shall be suspended and
32 the driver shall be subject to the fee imposed for dishonored checks
33 pursuant to section 31 of P.L.1994, c.60 (C.39:5-36.1).

34 In addition to any other remedy provided by law, the commission
35 is authorized to utilize the provisions of the SOIL (Set off of
36 Individual Liability) program established pursuant to P.L.1981,
37 c.239 (C.54A:9-8.1 et seq.) to collect any surcharge levied under
38 this section and collectible by the commission that is unpaid on or
39 after the effective date of this act. As an additional remedy, the
40 commission may issue a certificate to the Clerk of the Superior
41 Court stating that the person identified in the certificate is indebted
42 under this surcharge law in such amount as shall be stated in the
43 certificate. The certificate shall reference the statute under which
44 the indebtedness arises. Thereupon the clerk to whom such
45 certificate shall have been issued shall immediately enter upon the
46 record of docketed judgments the name of such person as debtor;
47 the State as creditor; the address of such person, if shown in the
48 certificate; the amount of the debt so certified; a reference to the

1 statute under which the surcharge is assessed, and the date of
2 making such entries. The docketing of the entries shall have the
3 same force and effect as a civil judgment docketed in the Superior
4 Court, and the commission shall have all the remedies and may take
5 all of the proceedings for the collection thereof which may be had
6 or taken upon the recovery of a judgment in an action, but without
7 prejudice to any right of appeal. Upon entry by the clerk of the
8 certificate in the record of docketed judgments in accordance with
9 this provision, interest in the amount specified by the court rules for
10 post-judgment interest shall accrue from the date of the docketing
11 of the certificate, however payment of the interest may be waived
12 by the commission or its designee. In the event that the surcharge
13 remains unpaid following the issuance of the certificate of debt and
14 the commission takes any further collection action including
15 referral of the matter to the Attorney General or his designee, the
16 fee imposed, in lieu of the actual cost of collection, may be 20
17 percent of surcharges of \$1,000 or more. The chief administrator or
18 his designee may establish a sliding scale, not to exceed a maximum
19 amount of \$200, for surcharge principal amounts of less than \$1,000
20 at the time the certificate of debt is forwarded to the Superior Court
21 for filing. The commission shall provide written notification to a
22 driver of the proposed filing of the certificate of debt at least 10
23 days prior to the proposed filing; such notice shall be mailed to the
24 driver's last address of record with the commission. Upon the filing
25 of a certificate of debt with the Clerk of the Superior Court, the
26 surcharged driver shall not be eligible for the restoration of his
27 driving privilege until at least five percent of each outstanding
28 surcharge assessment that has resulted in the suspension, including
29 interest and costs, if any, is paid to the commission. If a certificate
30 of debt is satisfied following a credit card payment, debit card
31 payment or payment by other electronic payment device and that
32 payment is reversed, a new certificate of debt shall be filed against
33 the surcharged driver unless the original is reinstated.

34 If the chief administrator or his designee approves a special
35 payment plan, of such duration as the chief administrator or his
36 designee deems appropriate, for repayment of the certificate of debt,
37 and the driver is complying with the approved plan, the plan may be
38 continued for any new surcharge not part of the certificate of debt.

39 All moneys collectible by the commission under subparagraph
40 (b) of paragraph (2) of this subsection **[b.]** shall be billed and
41 collected by the commission except as provided in P.L.1997, c.280
42 (C.2B:19-10 et al.) for the collection of unpaid surcharges.
43 Commencing on September 1, 1996, or such earlier time as the
44 Commissioner of Banking and Insurance shall certify to the State
45 Treasurer that amounts on deposit in the New Jersey Automobile
46 Insurance Guaranty Fund are sufficient to satisfy the current and
47 anticipated financial obligations of the New Jersey Automobile Full
48 Insurance Underwriting Association, all surcharges collected by the

1 commission under subparagraph (b) of paragraph (2) of this
2 subsection **[b.]** shall be remitted to the Division of Motor Vehicles
3 Surcharge Fund:

4 (i) for transfer to the Market Transition Facility Revenue Fund,
5 as provided in section 12 of P.L.1994, c.57 (C.34:1B-21.12), for the
6 purposes of section 4 of P.L.1994, c.57 (C.34:1B-21.4) until such a
7 time as all the Market Transition Facility bonds, notes and
8 obligations and all Motor Vehicle Commission bonds, notes and
9 obligations issued pursuant to that section 4 of P.L.1994, c.57
10 (C.34:1B-21.4) and the costs thereof are discharged and no longer
11 outstanding; and

12 (ii) from and after the date of certification by the Commissioner
13 of Banking and Insurance that the moneys collectible under
14 subparagraph (b) of paragraph (2) of this subsection **[b.]** are no
15 longer needed to fund the association or at such time as all Market
16 Transition Facility bonds, notes and obligations and all Motor
17 Vehicle Commission bonds, notes and obligations issued pursuant
18 to section 4 of P.L.1994, c.57 (C.34:1B-21.4) and the costs thereof
19 are discharged and no longer outstanding, for transfer to the Motor
20 Vehicle Surcharges Revenue Fund established pursuant to section 6
21 of the "Motor Vehicle Surcharges Securitization Act of 2004,"
22 P.L.2004, c.70 (C.34:1B-21.28) to be applied as set forth in section
23 6 of that act. From and after such time as all bonds issued under
24 section 4 of the "Motor Vehicle Surcharges Securitization Act of
25 2004," P.L.2004, c.70 (C.34:1B-21.26) and the costs thereof are
26 discharged and no longer outstanding, all surcharges collected by
27 the commission under subparagraph (b) of paragraph (2) of this
28 subsection **[b.]** shall, subject to appropriation, be remitted to the
29 New Jersey Property-Liability Insurance Guaranty Association
30 created pursuant to section 6 of P.L.1974, c.17 (C.17:30A-6) to be
31 used for payment of any loans made by that association to the New
32 Jersey Automobile Insurance Guaranty Fund pursuant to paragraph
33 (10) of subsection a. of section 8 of P.L.1974, c.17 (C.17:30A-8);
34 provided that all such payments shall be subject to and dependent
35 upon appropriation by the State Legislature.

36 All surcharges collected by the courts pursuant to subparagraph
37 (a) of paragraph (2) of this subsection **[b.]** shall be forwarded not
38 less frequently than monthly to the Division of Revenue in the
39 Department of the Treasury. The Division of Revenue shall
40 transfer: all such surcharges received prior to July 1, 2006, to the
41 General Fund, and commencing July 1, 2006, all such surcharges to
42 the Unsafe Driving Surcharge Revenue Fund established pursuant
43 to section 5 of the "Motor Vehicle Surcharges Securitization Act of
44 2004," P.L.2004, c.70 (C.34:1B-21.27) to be applied as set forth in
45 section 5 of that act. From and after such time as all bonds
46 (including refunding bonds), notes and other obligations issued
47 under section 4 of the "Motor Vehicle Surcharges Securitization Act
48 of 2004," P.L.2004, c.70 (C.34:1B-21.26), and the costs thereof are

1 discharged and no longer outstanding, all such surcharges collected
2 by the courts pursuant to subparagraph (a) of paragraph (2) of this
3 subsection **[b.]** and forwarded to the Division of Revenue shall be
4 transferred to the General Fund.

5 Upon request, the Administrative Office of the Courts shall
6 provide a monthly report to the Division of Revenue containing
7 information on the number of convictions for the offense of unsafe
8 driving pursuant to section 1 of P.L.2000, c.75 (C.39:4-97.2) that
9 were entered during such month, the amount of the surcharges that
10 were assessed by the courts pursuant to subsection f. of section 1 of
11 P.L.2000, c.75 (C.39:4-97.2) for such month, and the amount of the
12 surcharges collected by the courts pursuant to subsection f. of
13 section 1 of P.L.2000, c.75 (C.39:4-97.2) during such month.

14 (3) **[In addition to any other authority provided in P.L.1983,**
15 **c.65 (C.17:29A-33 et al.), the commissioner, after consultation with**
16 **the commission, is specifically authorized]** (a) (Deleted by
17 amendment, P.L.1994, c.64), (b) **[to impose, in accordance with**
18 **subparagraph (a) of paragraph (1) of this subsection b., surcharges**
19 **for motor vehicle violations or convictions for which motor vehicle**
20 **points are not assessed under Title 39 of the Revised Statutes, or (c)**
21 **to reduce the number of points for which surcharges may be**
22 **assessed below the level provided in subparagraph (a) of paragraph**
23 **(1) of this subsection b., except that the dollar amount of all**
24 **surcharges levied under the Motor Vehicle Violations Surcharge**
25 **System shall be uniform on a Statewide basis for each filer, without**
26 **regard to classification or territory. Surcharges adopted by the**
27 **commissioner on or after January 1, 1984 for motor vehicle**
28 **violations or convictions for which motor vehicle points are not**
29 **assessable under Title 39 of the Revised Statutes shall not be**
30 **retroactively applied but shall take effect on the date of the New**
31 **Jersey Register in which notice of adoption appears or the effective**
32 **date set forth in that notice, whichever is later.]** (Deleted by
33 amendment, P.L. , c.) (pending before the Legislature as this
34 bill)

35 c. No motor vehicle violation surcharges shall be levied on an
36 automobile insurance policy issued or renewed on or after January
37 1, 1984**],** except in accordance with the Motor Vehicle Violations
38 Surcharge System, and all surcharges levied thereunder shall be
39 assessed, collected and distributed in accordance with subsection b.
40 of this section**].**

41 d. (Deleted by amendment, P.L.1990, c.8.)

42 e. The Commissioner of Banking and Insurance and the
43 commission as may be appropriate, shall adopt any rules and
44 regulations necessary or appropriate to effectuate the purposes of
45 this section.

46 f. Commencing with the enactment of P.L. , c.) (pending
47 before the Legislature as this bill), any revenues derived pursuant to

1 this section shall not be pledged as the source of funds to repay any
2 debt.

3 (cf: P.L.2007, c.282, s.1)

4

5 2. Section 1 of P.L.2000, c.75 (C.39:4-97.2) is amended to read
6 as follows:

7 1. a. Notwithstanding any other provision of law to the
8 contrary, it shall be unlawful for any person to drive or operate a
9 motor vehicle in an unsafe manner likely to endanger a person or
10 property.

11 b. A person convicted of a first offense under subsection a. of
12 this section shall be subject to a fine of not less than \$50.00 or more
13 than \$150.00 and shall not be assessed any motor vehicle penalty
14 points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

15 c. A person convicted of a second offense under subsection a.
16 of this section shall be subject to a fine of not less than \$100.00 or
17 more than \$250.00 and shall not be assessed any motor vehicle
18 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

19 d. A person convicted of a third or subsequent offense under
20 subsection a. of this section shall be subject to a fine of not less
21 than \$200.00 or more than \$500.00 and shall be assessed motor
22 vehicle penalty points pursuant to section 1 of P.L.1982, c.43
23 (C.39:5-30.5).

24 e. An offense committed under this section that occurs more
25 than five years after the prior offense shall not be considered a
26 subsequent offense for the purpose of assessing motor vehicle
27 penalty points under subsection d. of this section.

28 f. **【In addition to any fine, fee or other charge imposed**
29 **pursuant to law, the court shall assess a person convicted of an**
30 **offense under subsection a. of this section a surcharge of \$250**
31 **which shall be collected by the court and distributed to the Division**
32 **of Revenue in the Department of the Treasury as a New Jersey**
33 **Merit Rating Plan surcharge pursuant to subparagraph (a) of**
34 **paragraph (2) of subsection b. of section 6 of P.L.1983, c.65**
35 **(C.17:29A-35)】 (Deleted by amendment, P.L. , c.) (pending**
36 **before the Legislature as this bill)**

37 **g. Commencing with the enactment of P.L. , c.) (pending**
38 **before the Legislature as this bill), any revenues derived pursuant to**
39 **this section shall not be pledged as the source of funds to repay any**
40 **debt.**

41 (cf: P.L.2004, c.69, s.1)

42

43 3. Subsection f. of section 1 of this act and subsection g. of
44 section 2 of this act shall take effect immediately. The remaining
45 provisions of this act shall take effect after such time as all bonds,
46 including refunding bonds, notes, and other obligations and the
47 costs thereof are discharged and no longer outstanding from bonds
48 issued pursuant to section 4 of the "Motor Vehicle Surcharges

1 Securitization Act of 2004," P.L.2004, c.70 (C.34:1B-21.26), loans
2 made by the New Jersey Property-Liability Insurance Guaranty
3 Association to the New Jersey Automobile Insurance Guaranty
4 Fund pursuant to paragraph (10) of subsection a. of section 8 of
5 P.L.1974, c.17 (C.17:30A-8), bonds issued pursuant to section 4 of
6 P.L.1994, c.57 (C.34:1B-21.4), and any other debt for which
7 revenues from section 6 of P.L.1983, c.65 (C.17:29A-35) or
8 subsection f. of section 1 of P.L.2000, c.75 (C.39:4-97.2) are
9 directly pledged, or from funds in which the revenues of the
10 aforementioned statutory sections are deposited for the repayment
11 of debt.

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STATEMENT

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16 This bill eliminates the points-based MVC surcharge system as
17 well as the surcharges attached to unsafe driving violations.
18 Because there are a number of bonds payable directly from
19 surcharge revenues, the date on which the surcharge system is
20 eliminated is delayed until those bonds have been fully retired.
21 Additionally, the bill requires that no new bonds are to be issued
22 against surcharge revenues.

23 The bill does not change the amounts owed for surcharge fines
24 already imposed or the methods available to the State to recover
25 unpaid surcharge fines. The bill also does not alter how surcharge
26 revenues are to be utilized prior to the elimination of the surcharge
27 system.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4921

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 2019

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 4921.

As reported, this bill eliminates the points-based Motor Vehicle Violations Surcharge System as well as the surcharges attached to unsafe driving violations. The date on which the surcharge system is eliminated is delayed until the bonds payable directly from surcharge revenues have been fully retired. Additionally, the bill requires that no new bonds are to be issued against surcharge revenues.

The bill does not change the amounts owed for surcharge fines already imposed or the methods available to the State to recover unpaid surcharge fines. The bill does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 4921

STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Assembly Budget Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 4921.

This Assembly Committee Substitute eliminates the MVC surcharge system for surcharges attached to unsafe driving violations, DWI violations, points based violations, and regulatory violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Upon retirement of the surcharge system the MVC is to have no legal authority to collect outstanding surcharge debts including interest and administrative fees, including any of the enhanced collection methods permitted under current law, such as the Set Off of Individual Liability program or certificates of indebtedness for surcharge system based penalties. Additionally, the substitute requires that no new bonds are to be issued against surcharge revenues; however the substitute does permit for refunding of existing surcharge bonds as long as the final maturity date does not extend beyond January 1, 2035, the current final maturity of outstanding surcharge bonds.

The substitute requires the New Jersey Commission on Capital Budgeting and Planning to include a summary of motor vehicle surcharge revenue bond repayments and issuances in the annual State Capital Improvement Plan, and upon repayment of all outstanding bonds with a pledge of surcharge revenues, provide written notice to the State Treasurer and Chief Administrator of the MVC that surcharge bonds have been paid in full and that no new surcharge bonds are to be issued. This notice will serve as the trigger in the substitute for the elimination of surcharge system based penalties which will take place on the first day of the first month following the notice.

The substitute does not change the amounts owed for surcharge fines already imposed, or the methods available to the State to recover unpaid surcharge fines, prior to the retirement of all currently outstanding surcharge bonds. The substitute also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

As reported, this bill identical to Senate Bill No. 1508 (SCS), as also reported by the committee.

FISCAL IMPACT:

This bill is likely to have no State fiscal impact until January 1, 2035, the date on which existing surcharge bonds are scheduled to be completely retired. At that point, the State is likely to experience reduced revenue equal to the amount of surcharge fees, fines, and penalties collected in that year. The amount that would be collected at that point is indeterminate due to uncertainty concerning the distant time horizon. In the most recent 2017 series surcharge bond refunding statement, the 2017 dedicated motor vehicle surcharge revenue collections from unsafe driving, points, DWI, and regulatory violations was \$132 million and projected to decrease at a rate of two percent annually. If that trend held, the expected dedicated revenue would be approximately \$92 million.

Additionally, due to the requirement under the substitute that unpaid surcharge fines, fees, and penalties stop being collected after the retirement of the bonds, it is possible that as the bonds become closer to being retired, individuals will strategically choose not to repay the debts in anticipation of when the State will stop collecting on the debt. This could have an impact on collections at some point prior to the January 1, 2035 final maturity date.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4921
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: DECEMBER 11, 2019

SUMMARY

Synopsis: Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

Type of Impact: Decreased State revenue.

Agencies Affected: Department of the Treasury

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2035 and beyond</u>
State Revenue Loss	\$90 million to \$93 million per year

- The Office of Legislative Services (OLS) finds that this substitute eliminates surcharges imposed on unsafe driving violations, DWI violations, points based violations, and regulatory violations, once all bonds tied to those surcharges are retired. There is notable uncertainty about how these revenues will change by the projected 2035 retirement of the bonds, but may be in the range of \$90 to \$93 million in lost State revenue.
- Recent bond documents indicate that the 2017 calendar year collections for fines for unsafe driving violations, DWI violations, points based violations, and regulatory violations was approximately \$132 million. The bond documents also projected declining surcharge revenue at a rate of approximately 2 percent per year going forward. Applying a broader range of 1 percent to 3 percent in annual decline would result in 2035 revenue reductions of approximately \$90 to \$93 million per year after rounding.
- By establishing ahead of time that the elimination of the surcharge system will be delayed until after the retirement of the bonds, it is also possible that some individuals will strategically stop paying surcharge debts at some point prior to 2035, which may impact the timing of the retirement of bonds whether or not the bonds are repaid in full.

BILL DESCRIPTION

This committee substitute eliminates the MVC surcharge system for surcharges attached to unsafe driving violations, DWI violations, points based violations, and regulatory violations. Because there are a number of bonds payable directly from surcharge revenues, the date on which the surcharge system is eliminated is delayed until those bonds have been fully retired. Upon retirement of the surcharge system the MVC is to have no legal authority to collect outstanding surcharge debts including interest and administrative fees, including any of the enhanced collection methods permitted under current law, such as the Set Off of Individual Liability program or certificates of indebtedness for surcharge system based penalties. Additionally, the substitute requires that no new bonds are to be issued against surcharge revenues; however the substitute does permit refunding of existing surcharge bonds as long as the final maturity date does not extend beyond January 1, 2035, the current final maturity of outstanding surcharge bonds.

The substitute requires the New Jersey Commission on Capital Budgeting and Planning to include a summary of motor vehicle surcharge revenue bond repayments and issuances in the annual State Capital Improvement Plan, and upon repayment of all outstanding bonds with a pledge of surcharge revenues, provide written notice to the State Treasurer and Chief Administrator of the MVC that surcharge bonds have been paid in full and that no new surcharge bonds are to be issued. This notice will serve as the trigger in the substitute for the elimination of surcharge system based penalties which will take place on the first day of the first month following the notice.

The substitute does not change the amounts owed for surcharge fines already imposed, or the methods available to the State to recover unpaid surcharge fines, prior to the retirement of all currently outstanding surcharge bonds. The substitute also does not alter how surcharge revenues are to be utilized prior to the elimination of the surcharge system.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this substitute is likely to have no State fiscal impact until January 1, 2035, the date on which existing surcharge bonds are scheduled to be completely retired. At that point, the State is likely to experience reduced revenue equal to the amount of surcharge fees, fines, and penalties collected in that year. The amount that would be collected at that point is indeterminate due to uncertainty concerning the distant time horizon, but may be between \$90 million and \$93 million if current trends in surcharge revenue collections hold constant over time.

In the most recent 2017 series surcharge bond refunding statement, the 2017 dedicated motor vehicle surcharge revenues from unsafe driving, points, DWI, and regulatory violations was \$132 million and projected to decrease at a rate of 2 percent annually. If that trend holds, the expected dedicated revenue would be approximately \$92 million. If the decline were slower at 1 percent annually, the reduction would approximate \$93 million in 2035, while if the decline were to be faster at 3 percent per year, the reduction would approximate \$90 million

in 2035, establishing a likely range in revenue if current trends were largely to stay in place. If the underlying trends in surcharge were to shift over the next 16 years, the revenue could be higher or lower by an unknown amount.

Additionally, due to the requirement under the substitute that unpaid surcharge fines, fees, and penalties stop being collected after the retirement of the bonds, it is possible that as the bonds become closer to being retired, individuals will strategically choose not to repay the debts in anticipation of when the State will stop collecting the debt. This could have an impact on collections at some point prior to the January 1, 2035 final maturity date. The pledge behind these bonds is not for a fixed payment until maturity, but rather a pledge of all surcharge revenue, after accounting for \$7.5 million retained by the State, until the principal and interest have been repaid, or 2035, whichever comes first. Thus, if revenues remain high, the bonds may be retired earlier than 2035, and if revenues decline faster than anticipated the bonds could expire in 2035 with unpaid amounts. In the event that strategic non-payment extends the final maturity date to 2035 when the bonds would have been retired, that could increase State revenues by extending the length of time when the State can retain \$7.5 million per year under the bond agreement. It would also likely decrease the amount ultimately recovered by bond holders.

The lack of knowledge about exactly what has caused decreases in violations and collections over the last ten years, and a lack of knowledge about driver behavior in the next 16 years, and repayment behavior by those who owe surcharge debts, is the reason for considering the amount of lost revenue as indeterminate despite having a discreet projection based on the current rate of revenue change.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

01/13/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

A268 (Kean, Egan, Holley/Singer, Gopal) - "P.I.C.K. Awareness Act"; authorizes issuance of special support recovery license plates.

A790 (Andrzejczak, Land, Mosquera, Mukherji, Downey, Zwicker, Mazzeo/Connors, Singleton) - "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education.

A791 (Andrzejczak, Land, Mosquera, Danielsens, Mukherji, Downey, Zwicker/Van Drew, Brown) - Requires institution of higher education to award appropriate credit for student's military service.

A1212 (McKeon, Gusciora, Vainieri Huttel/Sweeney, Smith, Bateman, Greenstein) - Clarifies intent of P.L.2007, c.340 regarding NJ's required participation in Regional Greenhouse Gas Initiative.

A1305 (Greenwald/Rice) - Renames Mountainview Youth Correctional Facility as "William H. Fauver Youth Correctional Facility."

A1576 (Conaway, Giblin/Vitale) - Requires certain health care facilities to provide, and employees to receive, annual influenza vaccination.

A1582 (Conaway, Moriarty, Mosquera, Benson, Pinkin, Giblin, Quijano/Weinberg, Ruiz) - Establishes "Dietetics and Nutrition Licensing Act".

A1991 (Sumter, Munoz, Mukherji/Singer, Gordon) - Requires students at institutions of higher education to receive immunization for meningitis in accordance with recommendations of Advisory Committee on Immunization Practices.

A3101 (Egan Jones, Benson, Land/Singleton) - Increases minimum annual amounts for appropriation for certain arts, historical heritage, and tourism purposes from hotel and motel occupancy fee revenues.

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A3160 (Lampitt, Giblin, Murphy/Beach) - Permits cosmetology and hairstyling school clinics to charge certain fees for services rendered to general public.

A3832 (Mukherji, McKnight, Chiaravalloti/Cryan, Stack) - Authorizes municipal tax levy through public question for certain purposes; clarifies ability of local government entities to issue non-recourse bonds; appropriates \$100,000.

A4493 (Pinkin, Conaway, Vainieri Huttel/Vitale) - Authorizes expedited partner therapy, under which sexual partners or patients diagnosed with sexually transmitted disease are treated without prior clinical examination.

A4608 (Zwicker, Downey/Weinberg, Kean) - " Applied Behavior Analyst Licensing Act."

A4710 (Lampitt, Zwicker, Vainieri Huttel/Beach,Turner) - "Strengthening Gifted and Talented Education Act"; establishes school district responsibilities in educating gifted and talented students.

A5037 (Pintor Marin, Speight, Vainieri Huttel/Andrzejczak, Greenstein) - Enhances penalties related to counterfeit drugs.

A5091 (McKeon, Vainieri Huttel, Pinkin/Pou, Singleton) - Establishes "Safeguarding Against Financial Exploitation Act."

A5263 (Tully, Armato/Corrado) - Requires four-year public institution of higher education to award college credits to firefighters for certain courses completed at county fire academies.

A5277 (DeAngelo, Houghtaling/Greenstein) - Eliminates term limits for members of State Board of Examiners of Master Plumbers and State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

A5624 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires that State employee serve as Equal Employment Opportunity and Affirmative Action officer for gubernatorial transitions.

A5625 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires payment of expenses related to background investigations for certain gubernatorial transition positions.

A5628 (Pintor Marin, Munoz, McKnight/Weinberg, Corrado) - Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

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A5631 (Pintor Marin, Munoz, Pinkin/Weinberg, Corrado) - Specifies certain requirements for State agency review of complaint of workplace discrimination.

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A5632 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg) - Requires certain public employees receive additional training to manage harassment or discrimination complaints.

A5917 (Chiaravalloti, McKnight/Cunningham, Weinberg) - Expands DOH oversight of hospital finances.

A6007 (McKeon/Pou) - Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

S463 (Singer, Greenstein/Dancer, Calabrese, DeAngelo) - Provides for voluntary contributions by taxpayers on gross income tax returns for Meals on Wheels.

S538 (Oroho, Stack/Wirths, Vaineri Huttie, Bucco) - Allows long term tax exemption extension for certain low-income housing.

S775 (Cunningham, Sacco/Sumter, Caride, Vainieri Huttie) - Establishes Tuition Aid Grant Study Commission to examine New Jersey's Tuition Aid Grant Program and make recommendations regarding improvements to program.

S778 (Cunningham, Kean/Quijano, Jasey, Pintor Marin) - Establishes Campus Sexual Assault Commission.

S1493 (Stack, Singleton/Quijano, Chaparro, Timberlake) - Prohibits landlords from requiring residential tenants to pay rent and other related charges through electronic funds transfer; requires landlords to provide receipts for cash payments.

S1508 (Turner, Singleton/Reynolds-Jackson, Sumter, Wimberly) - Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

S1834 (Ruiz, Cunningham/Quijano, Murphy) - Requires each public institution of higher education to post its budget on the institution's website.

S1953 (Oroho, Cruz-Perez/Space, Andrzejcack, Wirths) - Directs Dept. of Agriculture to authorize and advise food hubs.

S1966 (Sweeney, Singleton/Taliaferro) - Increases death benefit of active member of PFRS and SPRS to 50 percent of final compensation for surviving child or children.

S2527 (Ruiz, Turner/Lampitt, Quijano, Timberlake) - Requires Department of Agriculture to promote school meal programs.

S2533 (Greenstein, Cruz-Perez/Vainieri Huttie, Lopez, Timberlake) - Requires Office of Victim-Witness Advocacy to provide services to certain inmates.

S2898 (Madden, Sarlo/Murphy, Mosquera, Vainieri Huttie) - Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline; provides funding for hotline through fire inspection fees and penalties.

S2980 (Ruiz/Lampitt, McKnight) - Provides that school district may not condition student enrollment in district on fact that MVC does not have name or address of parent or guardian on file.

S2982 (Ruiz/Lampitt, Mukherji, Lopez) - Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.

S2998 (Ruiz/Freiman, Downey) - Requires creditors to make certain disclosures regarding collateral protection insurance to consumer debtors.

S3064 (Ruiz, Singleton/Armato, Conaway, Swain) - Establishes task force to develop State-wide plan to diversify apprenticeships.

S3066 (Ruiz, Singleton/Lampitt, Mukherji, Benson) - Creates five year High-Growth Industry Regional Apprenticeship Development Grant Pilot Program.

S3118 (Ruiz/Speight, Munoz, Tucker) - Establishes public awareness campaign to promote early conversations about advance care planning and end-of-life care.

S3124 (Stack/Mukherji) - Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.

S3206 (Pou, Cruz-Perez/Lopez, McKeon, Murphy) - Establishes "Unbanked and Underbanked Consumers Study Commission."

S3215 (Greenstein, Singleton/Zwicker, Mukherji, Swain) - Requires State to use 20-year time horizon and most recent Intergovernmental Panel on Climate Change Assessment Report when calculating global warming potential to measure global warming impact of greenhouse gases.

S3246 (Sarlo, Singleton, Oroho, Bucco/Benson, Bucco, Freiman) - Establishes elective pass-through entity business alternative income tax and allows corresponding refundable gross income tax and corporation business tax credit.

S3327 (Ruiz, Cruz-Perez/Lopez, Timberlake) - Establishes Commission on Latino and Hispanic Heritage in DOE.

S3348 (Weinberg/Vainieri Huttle, McKnight) - Requires home health agencies and specialty pharmacies providing services related to bleeding episodes associated with hemophilia to comply with certain minimum practice standards.

S3528 (Scutari, Codey/Vainieri Huttle, Quijano, Kennedy) - Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

S3574 (Scutari, Kean, Cryan/Carter, Kennedy, Freiman) - Requires NJT to conduct feasibility study on restoring one-seat ride to Manhattan on Raritan Valley Line.

Governor Murphy conditionally vetoed the following bills:

A2431 (Benson, Jimenez, DeCroce, Eustace/Weinberg, Kean) – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage.

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A4978 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan) – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances.

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S3920 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes.

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Governor Murphy absolute vetoed the following bill:

S4139 (Greenstein/Benson) - Makes Fiscal Year 2020 supplemental appropriation of \$250,000 to Rutgers University - New Brunswick for School of Dental Medicine - Special Care Treatment Center.

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