#### 39:3-4

#### LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2003 **CHAPTER:** 212

**NJSA:** 39:3-4 (Lessors of motor vehicles—notification)

BILL NO: S773 (Substituted for A3659)

**SPONSOR(S):** Lance and others

**DATE INTRODUCED:** January 24, 2002

**COMMITTEE:** ASSEMBLY: Transportation

**SENATE:** Transportation

AMENDED DURING PASSAGE: Yes

**DATE OF PASSAGE:** ASSEMBLY: December 15, 2003

SENATE: October 7, 2002

**DATE OF APPROVAL:** January 9, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

S773

**SPONSOR'S STATEMENT**: (Begins on page 4 of original bill)

Yes

COMMITTEE STATEMENT: <u>ASSEMBLY</u>: <u>Yes</u>

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3659

**SPONSOR'S STATEMENT**: (Begins on page 4 of original bill) Yes

COMMITTEE STATEMENT: <u>ASSEMBLY</u>: <u>Yes</u>

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

**FOLLOWING WERE PRINTED:** 

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REPORTS:	No
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#### P.L. 2003, CHAPTER 212, approved January 9, 2004 Senate, No. 773 (First Reprint)

1 AN ACT concerning the registration of motor vehicles and amending 2 R.S.39:3-4.

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

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39 40 1. R.S.39:3-4 is amended to read as follows:

39:3-4. Except as hereinafter provided, every resident of this State and every nonresident whose automobile or motorcycle shall be driven in this State shall, before using such vehicle on the public highways, register the same, and no automobile or motorcycle shall be driven unless so registered.

Such registration shall be made in the following manner: An 14 application in writing, signed by the applicant or by an agent or officer, 15 in case the applicant is a corporation, shall be made to the director or the director's agent, on forms prepared and supplied by the director, 16 containing the name, street address of the residence or the business of the owner, mailing address, if different from the street address of the owner's residence or business, and age of the owner, together with a 20 description of the character of the automobile or motorcycle, including the name of the maker and the vehicle identification number, or the manufacturer's number or the number assigned by the director if the vehicle does not have a vehicle identification number, and any other statement that may be required by the director. A post office box shall appear on the application only as part of a mailing address that is submitted by the owner, agent or officer, as the case may be, in 26 addition to the street address of the applicant's residence or business; provided, however, the director, upon application, shall permit a person who was a victim of a violation of N.J.S.2C:12-10, N.J.S.2C:14-2, or N.J.S.2C:25-17 et seq., or who the director otherwise determines to have good cause, to use as a mailing address a post office box, an address other than the applicant's address or other contact point. An owner whose last address appears on the records of the division as a post office box shall change his address on his application for renewal to the street address of his residence or business and, if different from his street address, his mailing address unless the director has determined, pursuant to this section, that the owner may use a post office box, an address other than the owner's address or other contact point as a mailing address. The application shall contain the name of the insurer of the vehicle and the policy

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>&</sup>lt;sup>1</sup> Senate STR committee amendments adopted September 26, 2002.

1 number. If the vehicle is a leased motor vehicle, the application shall

2 make note of that fact and shall include along with the name and street

3 address of the lessor the name, street address and driver license

number of the lessee. <sup>1</sup>[A lessor of a leased motor vehicle shall notify 4

5 the director in writing, on such form as the director may prescribe, of

6 the termination of a lease or of a change of the lessee within seven

7 days after the termination or change.]<sup>1</sup>

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Thereupon the director shall have the power to grant a registration certificate to the owner of any motor vehicle, if over 17 years of age, application for the registration having been properly made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this title. The form and contents of the registration certificate to be issued shall be determined by the director.

If the vehicle is a leased motor vehicle, the registration certificate shall, in addition to containing the name and street address of the lessor, identify the vehicle as a leased motor vehicle.

The director shall maintain a record of all registration certificates issued, and of the contents thereof.

Every registration shall expire and the registration certificate thereof become void on the last day of the twelfth calendar month following the calendar month in which the certificate was issued; provided, however, that the director may, at his discretion, require registrations which shall expire, and issue certificates thereof which shall become void, on a date fixed by him, which date shall not be sooner than three months nor later than 26 months after the date of issuance of such certificates, and the fees for such registrations, including any other fees or charges collected in connection with the registration fee, shall be fixed by the director in amounts proportionately less or greater than the fees established by law. The director may fix the expiration date for registration certificates at a date other than 12 months if the director determines that the change is necessary, appropriate or convenient in order to aid in implementing the vehicle inspection requirements of chapter 8 of Title 39 or for other good cause.

All motorcycles for which registrations have been issued prior to the effective date of P.L.1989, c.167 and which are scheduled to expire between November 1 and March 31 shall, upon renewal, be issued registrations by the director which shall expire on a date fixed by him, but in no case shall that expiration date be earlier than April 30 nor later than October 31. The fees for the renewal of the 40 motorcycle registrations authorized under this paragraph shall be fixed by the director in an amount proportionately less or greater than the fee established by R.S.39:3-21.

44 Application forms for all renewals of registrations for passenger 45 automobiles shall be sent to the last addresses of owners of motor vehicles and motorcycles, as they appear on the records of the 46

1 division.

No person owning or having control over any unregistered vehicle shall permit the same to be parked or to stand on a public highway.

Any police officer is authorized to remove any unregistered vehicle from the public highway to a storage space or garage, and the expense involved in such removal and storing of the vehicle shall be borne by the owner of the vehicle, except that the expense shall be borne by the lessee of a leased vehicle.

Any person violating the provisions of this section shall be subject to a fine not exceeding \$100, except that for the misstatement of any fact in the application required to be made to the director, the person making such statement or omitting the statement that the motor vehicle is to be used as a leased motor vehicle when that is the case shall be subject to the penalties provided in R.S.39:3-37.

The director may extend the expiration date of a registration certificate without payment of a proportionate fee when the director determines that such extension is necessary, appropriate or convenient to the implementation of vehicle inspection requirements. If any registration certificate is so extended, the owner shall pay upon renewal the full registration fee for the period fixed by the director as if no extension had been granted.

The Division of Motor Vehicles shall make a reasonable effort to notify any lessor whose name and address is on file with the division, or any other lessor the division may determine it is necessary to notify, of the requirements of this amendatory act.

A lessor doing business in this State shall notify in writing the lessee of a motor vehicle registered pursuant to this Title of any change in its policies or procedures affecting the registration of the motor vehicle. (cf. P.L.1997, c.189, s.1)

2. This act shall take effect immediately.

Requires lessors of motor vehicles to notify lessees of any change in registration policies and procedures.

## SENATE, No. 773

## STATE OF NEW JERSEY

## 210th LEGISLATURE

**INTRODUCED JANUARY 24, 2002** 

Sponsored by: Senator LEONARD LANCE District 23 (Warren and Hunterdon)

#### **SYNOPSIS**

Requires lessors of motor vehicles to notify lessees of any change in registration policies and procedures.

#### **CURRENT VERSION OF TEXT**

As introduced.



1 **AN ACT** concerning the registration of motor vehicles and amending 2 R.S.39:3-4.

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

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1. R.S.39:3-4 is amended to read as follows:

39:3-4. Except as hereinafter provided, every resident of this State and every nonresident whose automobile or motorcycle shall be driven in this State shall, before using such vehicle on the public highways, register the same, and no automobile or motorcycle shall be driven unless so registered.

Such registration shall be made in the following manner: An application in writing, signed by the applicant or by an agent or officer, in case the applicant is a corporation, shall be made to the director or the director's agent, on forms prepared and supplied by the director, containing the name, street address of the residence or the business of the owner, mailing address, if different from the street address of the owner's residence or business, and age of the owner, together with a description of the character of the automobile or motorcycle, including the name of the maker and the vehicle identification number, or the manufacturer's number or the number assigned by the director if the vehicle does not have a vehicle identification number, and any other statement that may be required by the director. A post office box shall appear on the application only as part of a mailing address that is submitted by the owner, agent or officer, as the case may be, in addition to the street address of the applicant's residence or business; provided, however, the director, upon application, shall permit a person who was a victim of a violation of N.J.S.2C:12-10, N.J.S.2C:14-2, or N.J.S.2C:25-17 et seq., or who the director otherwise determines to have good cause, to use as a mailing address a post office box, an address other than the applicant's address or other contact point. An owner whose last address appears on the records of the division as a post office box shall change his address on his application for renewal to the street address of his residence or business and, if different from his street address, his mailing address unless the director has determined, pursuant to this section, that the owner may use a post office box, an address other than the owner's address or other contact point as a mailing address. The application shall contain the name of the insurer of the vehicle and the policy number. If the vehicle is a leased motor vehicle, the application shall make note of that fact and shall include along with the name and street address of the lessor the name, street address and driver license

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

number of the lessee. A lessor of a leased motor vehicle shall notify the director in writing, on such form as the director may prescribe, of

3 the termination of a lease or of a change of the lessee within seven

4 days after the termination or change.

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Thereupon the director shall have the power to grant a registration certificate to the owner of any motor vehicle, if over 17 years of age, application for the registration having been properly made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this title. The form and contents of the registration certificate to be issued shall be determined by the director.

If the vehicle is a leased motor vehicle, the registration certificate shall, in addition to containing the name and street address of the lessor, identify the vehicle as a leased motor vehicle.

The director shall maintain a record of all registration certificates issued, and of the contents thereof.

Every registration shall expire and the registration certificate 16 17 thereof become void on the last day of the twelfth calendar month following the calendar month in which the certificate was issued; 18 19 provided, however, that the director may, at his discretion, require 20 registrations which shall expire, and issue certificates thereof which 21 shall become void, on a date fixed by him, which date shall not be 22 sooner than three months nor later than 26 months after the date of 23 issuance of such certificates, and the fees for such registrations, including any other fees or charges collected in connection with the 24 25 registration fee, shall be fixed by the director in amounts 26 proportionately less or greater than the fees established by law. The 27 director may fix the expiration date for registration certificates at a 28 date other than 12 months if the director determines that the change 29 is necessary, appropriate or convenient in order to aid in implementing 30 the vehicle inspection requirements of chapter 8 of Title 39 or for 31 other good cause.

All motorcycles for which registrations have been issued prior to the effective date of P.L.1989, c.167 and which are scheduled to expire between November 1 and March 31 shall, upon renewal, be issued registrations by the director which shall expire on a date fixed by him, but in no case shall that expiration date be earlier than April 30 nor later than October 31. The fees for the renewal of the motorcycle registrations authorized under this paragraph shall be fixed by the director in an amount proportionately less or greater than the fee established by R.S.39:3-21.

Application forms for all renewals of registrations for passenger automobiles shall be sent to the last addresses of owners of motor vehicles and motorcycles, as they appear on the records of the division.

No person owning or having control over any unregistered vehicle shall permit the same to be parked or to stand on a public highway.

#### S773 LANCE

Any police officer is authorized to remove any unregistered vehicle from the public highway to a storage space or garage, and the expense involved in such removal and storing of the vehicle shall be borne by the owner of the vehicle, except that the expense shall be borne by the lessee of a leased vehicle.

Any person violating the provisions of this section shall be subject

Any person violating the provisions of this section shall be subject to a fine not exceeding \$100, except that for the misstatement of any fact in the application required to be made to the director, the person making such statement or omitting the statement that the motor vehicle is to be used as a leased motor vehicle when that is the case shall be subject to the penalties provided in R.S.39:3-37.

The director may extend the expiration date of a registration certificate without payment of a proportionate fee when the director determines that such extension is necessary, appropriate or convenient to the implementation of vehicle inspection requirements. If any registration certificate is so extended, the owner shall pay upon renewal the full registration fee for the period fixed by the director as if no extension had been granted.

The Division of Motor Vehicles shall make a reasonable effort to notify any lessor whose name and address is on file with the division, or any other lessor the division may determine it is necessary to notify, of the requirements of this amendatory act.

A lessor doing business in this State shall notify in writing the lessee of a motor vehicle registered pursuant to this Title of any change in its policies or procedures affecting the registration of the motor vehicle. (cf: P.L.1997, c.189, s.1)

2. This act shall take effect immediately.

#### **STATEMENT**

This bill requries a lessor doing business in this State to notify in writing the lessee of a motor vehicle registered pursuant to Title 39 (the motor vehicle code) any change in its policies or procedures affecting the registration of the motor vehicle. There is no such requirement under current law, and persons have been cited for unknowingly driving a motor vehicle with an expired registration.

#### ASSEMBLY TRANSPORTATION COMMITTEE

#### STATEMENT TO

[First Reprint] **SENATE, No. 773** 

### STATE OF NEW JERSEY

**DATED: JUNE 19, 2003** 

The Assembly Transportation Committee reports favorably Senate Bill No. 773 (1R).

As reported, this bill requires a lessor doing business in this State to notify in writing the lessee of a motor vehicle registered pursuant to Title 39 (the motor vehicle code) of any change in its policies or procedures affecting the registration of the motor vehicle. There is no such requirement under current law, and persons have been cited for unknowingly driving a motor vehicle with an expired registration.

As reported, this bill eliminates the current requirement that a lessor of a leased motor vehicle is to notify the Director of the Division of Motor Vehicles in writing of the termination of a lease or of a change of the lessee within seven days after the termination or change.

As reported by the committee, Senate Bill No. 773 (1R) is identical to Assembly Bill No. 3659, which also was reported by the committee on this date.

#### SENATE TRANSPORTATION COMMITTEE

#### STATEMENT TO

#### SENATE, No. 773

with committee amendments

## STATE OF NEW JERSEY

DATED: SEPTEMBER 26, 2002

The Senate Transportation Committee reports favorably Senate Bill No. 773 with committee amendments.

This amended bill requires a lessor doing business in this State to notify in writing the lessee of a motor vehicle registered pursuant to Title 39 (the motor vehicle code) any change in its policies or procedures affecting the registration of the motor vehicle. There is no such requirement under current law, and persons have been cited for unknowingly driving a motor vehicle with an expired registration.

In addition, the amended bill omits the current requirement that a lessor of a leased motor vehicle is to notify the Director of the Division of Motor Vehicles in writing of the termination of a lease or of a change of the lessee within seven days after the termination or change.

The amendments approved by the committee deleted the requirement of notification of the Director of the Division of Motor Vehicles of the termination of the lease or change of the lessee.

## ASSEMBLY, No. 3659

# STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED MAY 19, 2003

Sponsored by:
Assemblyman JOHN S. WISNIEWSKI
District 19 (Middlesex)
Assemblyman JOHN J. BURZICHELLI
District 3 (Salem, Cumberland and Gloucester)

#### **SYNOPSIS**

Requires lessors of motor vehicles to notify lessees of any change in registration policies and procedures.

#### **CURRENT VERSION OF TEXT**

As introduced.



1 **AN ACT** concerning the registration of motor vehicles and amending 2 R.S.39:3-4.

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

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1. R.S.39:3-4 is amended to read as follows:

39:3-4. Except as hereinafter provided, every resident of this State and every nonresident whose automobile or motorcycle shall be driven in this State shall, before using such vehicle on the public highways, register the same, and no automobile or motorcycle shall be driven unless so registered.

Such registration shall be made in the following manner: An application in writing, signed by the applicant or by an agent or officer, in case the applicant is a corporation, shall be made to the director or the director's agent, on forms prepared and supplied by the director, containing the name, street address of the residence or the business of the owner, mailing address, if different from the street address of the owner's residence or business, and age of the owner, together with a description of the character of the automobile or motorcycle, including the name of the maker and the vehicle identification number, or the manufacturer's number or the number assigned by the director if the vehicle does not have a vehicle identification number, and any other statement that may be required by the director. A post office box shall appear on the application only as part of a mailing address that is submitted by the owner, agent or officer, as the case may be, in addition to the street address of the applicant's residence or business; provided, however, the director, upon application, shall permit a person who was a victim of a violation of N.J.S.2C:12-10, N.J.S.2C:14-2, or N.J.S.2C:25-17 et seq., or who the director otherwise determines to have good cause, to use as a mailing address a post office box, an address other than the applicant's address or other contact point. An owner whose last address appears on the records of the division as a post office box shall change his address on his application for renewal to the street address of his residence or business and, if different from his street address, his mailing address unless the director has determined, pursuant to this section, that the owner may use a post office box, an address other than the owner's address or other contact point as a mailing address. The application shall contain the name of the insurer of the vehicle and the policy number. If the vehicle is a leased motor vehicle, the application shall make note of that fact and shall include along with the name and street address of the lessor the name, street address and driver license

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

1 number of the lessee. [A lessor of a leased motor vehicle shall notify

2 the director in writing, on such form as the director may prescribe, of

3 the termination of a lease or of a change of the lessee within seven

4 days after the termination or change.]

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Thereupon the director shall have the power to grant a registration certificate to the owner of any motor vehicle, if over 17 years of age, application for the registration having been properly made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this title. The form and contents of the registration certificate to be issued shall be determined by the director.

If the vehicle is a leased motor vehicle, the registration certificate shall, in addition to containing the name and street address of the lessor, identify the vehicle as a leased motor vehicle.

The director shall maintain a record of all registration certificates issued, and of the contents thereof.

Every registration shall expire and the registration certificate 16 17 thereof become void on the last day of the twelfth calendar month 18 following the calendar month in which the certificate was issued; 19 provided, however, that the director may, at his discretion, require registrations which shall expire, and issue certificates thereof which 20 shall become void, on a date fixed by him, which date shall not be 21 22 sooner than three months nor later than 26 months after the date of 23 issuance of such certificates, and the fees for such registrations, 24 including any other fees or charges collected in connection with the 25 registration fee, shall be fixed by the director in amounts proportionately less or greater than the fees established by law. The 26 27 director may fix the expiration date for registration certificates at a date other than 12 months if the director determines that the change 28 29 is necessary, appropriate or convenient in order to aid in implementing 30 the vehicle inspection requirements of chapter 8 of Title 39 or for 31 other good cause.

All motorcycles for which registrations have been issued prior to the effective date of P.L.1989, c.167 and which are scheduled to expire between November 1 and March 31 shall, upon renewal, be issued registrations by the director which shall expire on a date fixed by him, but in no case shall that expiration date be earlier than April 30 nor later than October 31. The fees for the renewal of the motorcycle registrations authorized under this paragraph shall be fixed by the director in an amount proportionately less or greater than the fee established by R.S.39:3-21.

Application forms for all renewals of registrations for passenger automobiles shall be sent to the last addresses of owners of motor vehicles and motorcycles, as they appear on the records of the division.

No person owning or having control over any unregistered vehicle shall permit the same to be parked or to stand on a public highway.

#### A3659 WISNIEWSKI, BURZICHELLI

Any police officer is authorized to remove any unregistered vehicle from the public highway to a storage space or garage, and the expense involved in such removal and storing of the vehicle shall be borne by the owner of the vehicle, except that the expense shall be borne by the lessee of a leased vehicle.

Any person violating the provisions of this section shall be subject to a fine not exceeding \$100, except that for the misstatement of any fact in the application required to be made to the director, the person making such statement or omitting the statement that the motor vehicle is to be used as a leased motor vehicle when that is the case shall be subject to the penalties provided in R.S.39:3-37.

The director may extend the expiration date of a registration certificate without payment of a proportionate fee when the director determines that such extension is necessary, appropriate or convenient to the implementation of vehicle inspection requirements. If any registration certificate is so extended, the owner shall pay upon renewal the full registration fee for the period fixed by the director as if no extension had been granted.

The Division of Motor Vehicles shall make a reasonable effort to notify any lessor whose name and address is on file with the division, or any other lessor the division may determine it is necessary to notify, of the requirements of this amendatory act.

A lessor doing business in this State shall notify in writing the lessee of a motor vehicle registered pursuant to this Title of any change in its policies or procedures affecting the registration of the motor vehicle. (cf: P.L.1997, c.189, s.1)

2. This act shall take effect immediately.

#### **STATEMENT**

 This bill requires a lessor doing business in this State to notify in writing the lessee of a motor vehicle registered pursuant to Title 39 (the motor vehicle code) of any change in its policies or procedures affecting the registration of the motor vehicle. There is no such requirement under current law, and persons have been cited for unknowingly driving a motor vehicle with an expired registration.

In addition, the bill eliminates the current requirement that a lessor of a leased motor vehicle is to notify the Director of the Division of Motor Vehicles in writing of the termination of a lease or of a change of the lessee within seven days after the termination or change.

#### ASSEMBLY TRANSPORTATION COMMITTEE

#### STATEMENT TO

#### ASSEMBLY, No. 3659

## STATE OF NEW JERSEY

DATED: JUNE 19, 2003

The Assembly Transportation Committee reports favorably Assembly Bill No. 3659.

As reported, this bill requires a lessor doing business in this State to notify in writing the lessee of a motor vehicle registered pursuant to Title 39 (the motor vehicle code) of any change in its policies or procedures affecting the registration of the motor vehicle. There is no such requirement under current law, and persons have been cited for unknowingly driving a motor vehicle with an expired registration.

As reported, this bill eliminates the current requirement that a lessor of a leased motor vehicle is to notify the Director of the Division of Motor Vehicles in writing of the termination of a lease or of a change of the lessee within seven days after the termination or change.

As reported by the committee, Assembly Bill No. 3659 is identical to Senate Bill No. 773 (1R), which also was reported by the committee on this date.