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RWH 4/9/08

P.L. 2007, CHAPTER 35, *approved January 29, 2007*
Senate, No. 1841

1 AN ACT concerning limousines and amending P.L.2001, c 416.

2

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

5

6 1. Section 9 of P.L.2001, c.416 (C.48:16-22.3a) is amended to
7 read as follows:

8 9. a. Any person who owns a limousine service shall require an
9 applicant for employment as a limousine operator or driver to
10 provide the applicant's name, address, citizenship status, a form of
11 photographic identification, birth certificate, and such other
12 information as the **[Commissioner of Transportation, hereinafter the**
13 **commissioner]** Chief Administrator of the New Jersey Motor
14 Vehicle Commission (hereinafter the "chief administrator") may
15 require.

16 b. An applicant subject to the provisions of subsection a. of this
17 section shall submit to being fingerprinted by the Division of State
18 Police in the Department of Law and Public Safety or by agents
19 appointed by or under contract to the division. The applicant also
20 shall provide written consent to the performance of a criminal
21 history record background check. The **[commissioner]** chief
22 administrator is authorized to exchange fingerprint data and
23 photographic identification with and receive criminal history record
24 background information results from the Federal Bureau of
25 Investigation and the Division of State Police. The division shall
26 inform the **[commissioner]** chief administrator if an applicant's
27 criminal history record background check reveals a conviction of a
28 disqualifying crime as specified in subsection d. of this section.
29 The applicant shall bear the cost of fingerprinting and the cost for
30 the background checks, including all costs of administering and
31 processing the checks. As used in this section, "criminal history
32 record background check" means a determination of whether a
33 person has a criminal record by cross-referencing that person's
34 name and fingerprint data with those on file with the Federal
35 Bureau of Investigation, Identification Division and the State
36 Bureau of Identification in the Division of State Police.

37 c. No applicant shall be permitted to operate or drive a
38 limousine unless the applicant is 21 years of age or older and unless
39 the **[commissioner]** chief administrator provides written
40 notification to the owner of the limousine service of the
41 **[commissioner's]** chief administrator's determination that the
42 applicant is qualified for employment as a limousine operator or
43 driver.

44 d. An applicant shall be disqualified from operating or driving a

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 limousine if the applicant's criminal history record background
2 check reveals a record of conviction of any of the following crimes:

3 (1) In New Jersey or elsewhere any crime as follows: aggravated
4 assault, arson, burglary, escape, extortion, homicide, kidnaping,
5 robbery, aggravated sexual assault, sexual assault or endangering
6 the welfare of a child pursuant to N.J.S.2C:24-4, whether or not
7 armed with or having in his possession any weapon enumerated in
8 subsection r. of N.J.S.2C:39-1, a crime pursuant to the provisions of
9 N.J.S.2C:39-3, N.J.S.2C:39-4 or N.J.S.2C:39-9, or other than a
10 disorderly persons or petty disorderly persons offense for the
11 unlawful use, possession or sale of a controlled dangerous
12 substance as defined in N.J.S.2C:35-2.

13 (2) In any other state, territory, commonwealth or other
14 jurisdiction of the United States, or any country in the world, as a
15 result of a conviction in a court of competent jurisdiction, a crime
16 which in that other jurisdiction or country is comparable to one of
17 the crimes enumerated in paragraph (1) of subsection d. of this
18 section.

19 e. The **【commissioner】** chief administrator is authorized to
20 adopt regulations, pursuant to the "Administrative Procedure Act, "
21 P.L.1968, c. 410 (C.52:14B-1 et seq.), to effectuate the purposes of
22 this section.

23 f. The provisions of this section shall apply to persons making
24 applications for employment on or after the effective date of
25 P.L.2001, c.416 (C.48:16-18.1 et al.).
26 (cf: P.L.2001, c.416, s.9)

27
28 2. Section 10 of P.L.2001, c.416 (C.48:16-22.3b) is amended to
29 read as follows:

30 10. Any person who owns a limousine service shall require an
31 applicant for employment as a limousine operator or driver to be
32 tested, at the applicant's expense, for dangerous controlled
33 substances as defined in N.J.S.2C:35-2. Upon the advice of the
34 State Limousine Advisory Committee, the **【Commissioner of**
35 **Transportation】** Chief Administrator of the New Jersey Motor
36 Vehicle Commission shall adopt regulations, pursuant to the
37 "Administrative Procedure Act, " P.L.1968, c.410 (C.52:14B-1 et
38 seq.), for the licensing and testing of applicants for employment as
39 limousine operators or drivers. The regulations shall be
40 substantially similar to the regulations of New York City
41 concerning the testing of an applicant for a for-hire vehicle driver's
42 license pursuant to section 6-15 of Title 35 of the New York City
43 Rules and Regulations.

44 (cf: P.L.2001, c.416, s.10)

45

46 3. This act shall take effect immediately.

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STATEMENT

This bill would amend the current law and transfer the authority to regulate limousine services in this State from the Department of Transportation to the Motor Vehicle Commission. In doing so, the Motor Vehicle Commission could properly promulgate rules concerning the regulation of operators.

Transfers certain authority over limousine operators from DOT to MVC.

SENATE, No. 1841

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED MAY 11, 2006

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Assemblyman BRIAN P. STACK

District 33 (Hudson)

Co-Sponsored by:

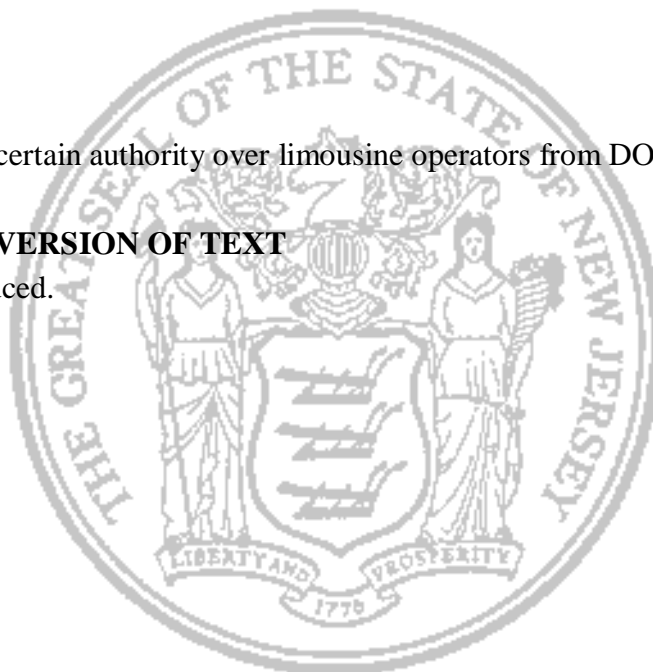
Assemblyman Johnson

SYNOPSIS

Transfers certain authority over limousine operators from DOT to MVC.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/15/2006)

1 AN ACT concerning limousines and amending P.L.2001, c 416.

2

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

5

6 1. Section 9 of P.L.2001, c.416 (C.48:16-22.3a) is amended to
7 read as follows:

8 9. a. Any person who owns a limousine service shall require an
9 applicant for employment as a limousine operator or driver to
10 provide the applicant's name, address, citizenship status, a form of
11 photographic identification, birth certificate, and such other
12 information as the **[Commissioner of Transportation, hereinafter the**
13 **commissioner]** Chief Administrator of the New Jersey Motor
14 Vehicle Commission (hereinafter the "chief administrator") may
15 require.

16 b. An applicant subject to the provisions of subsection a. of this
17 section shall submit to being fingerprinted by the Division of State
18 Police in the Department of Law and Public Safety or by agents
19 appointed by or under contract to the division. The applicant also
20 shall provide written consent to the performance of a criminal
21 history record background check. The **[commissioner]** chief
22 administrator is authorized to exchange fingerprint data and
23 photographic identification with and receive criminal history record
24 background information results from the Federal Bureau of
25 Investigation and the Division of State Police. The division shall
26 inform the **[commissioner]** chief administrator if an applicant's
27 criminal history record background check reveals a conviction of a
28 disqualifying crime as specified in subsection d. of this section.
29 The applicant shall bear the cost of fingerprinting and the cost for
30 the background checks, including all costs of administering and
31 processing the checks. As used in this section, "criminal history
32 record background check" means a determination of whether a
33 person has a criminal record by cross-referencing that person's
34 name and fingerprint data with those on file with the Federal
35 Bureau of Investigation, Identification Division and the State
36 Bureau of Identification in the Division of State Police.

37 c. No applicant shall be permitted to operate or drive a
38 limousine unless the applicant is 21 years of age or older and unless
39 the **[commissioner]** chief administrator provides written
40 notification to the owner of the limousine service of the
41 **[commissioner's]** chief administrator's determination that the
42 applicant is qualified for employment as a limousine operator or
43 driver.

44 d. An applicant shall be disqualified from operating or driving a
45 limousine if the applicant's criminal history record background

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 check reveals a record of conviction of any of the following crimes:
- 2 (1) In New Jersey or elsewhere any crime as follows: aggravated
3 assault, arson, burglary, escape, extortion, homicide, kidnaping,
4 robbery, aggravated sexual assault, sexual assault or endangering
5 the welfare of a child pursuant to N.J.S.2C:24-4, whether or not
6 armed with or having in his possession any weapon enumerated in
7 subsection r. of N.J.S.2C:39-1, a crime pursuant to the provisions of
8 N.J.S.2C:39-3, N.J.S.2C:39-4 or N.J.S.2C:39-9, or other than a
9 disorderly persons or petty disorderly persons offense for the
10 unlawful use, possession or sale of a controlled dangerous
11 substance as defined in N.J.S.2C:35-2.
- 12 (2) In any other state, territory, commonwealth or other
13 jurisdiction of the United States, or any country in the world, as a
14 result of a conviction in a court of competent jurisdiction, a crime
15 which in that other jurisdiction or country is comparable to one of
16 the crimes enumerated in paragraph (1) of subsection d. of this
17 section.
- 18 e. The **【commissioner】** chief administrator is authorized to
19 adopt regulations, pursuant to the "Administrative Procedure Act, "
20 P.L.1968, c. 410 (C.52:14B-1 et seq.), to effectuate the purposes of
21 this section.
- 22 f. The provisions of this section shall apply to persons making
23 applications for employment on or after the effective date of
24 P.L.2001, c.416 (C.48:16-18.1 et al.).
25 (cf: P.L.2001, c.416, s.9)
26
- 27 2. Section 10 of P.L.2001, c.416 (C.48:16-22.3b) is amended to
28 read as follows:
- 29 10. Any person who owns a limousine service shall require an
30 applicant for employment as a limousine operator or driver to be
31 tested, at the applicant's expense, for dangerous controlled
32 substances as defined in N.J.S.2C:35-2. Upon the advice of the
33 State Limousine Advisory Committee, the **【Commissioner of**
34 **Transportation】** Chief Administrator of the New Jersey Motor
35 Vehicle Commission shall adopt regulations, pursuant to the
36 "Administrative Procedure Act, " P.L.1968, c.410 (C.52:14B-1 et
37 seq.), for the licensing and testing of applicants for employment as
38 limousine operators or drivers. The regulations shall be
39 substantially similar to the regulations of New York City
40 concerning the testing of an applicant for a for-hire vehicle driver's
41 license pursuant to section 6-15 of Title 35 of the New York City
42 Rules and Regulations.
43 (cf: P.L.2001, c.416, s.10)
44
- 45 3. This act shall take effect immediately.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1841

STATE OF NEW JERSEY

DATED: JUNE 12, 2006

The Senate Transportation Committee reports favorably Senate Bill No. 1841.

This bill would amend current law and transfer the authority to regulate the employment of limousine operators and drivers in this State from the Department of Transportation to the New Jersey Motor Vehicle Commission. With this transfer, the Motor Vehicle Commission acquires full authorization to regulate limousine services, including the adoption of regulations concerning criminal history record background checks and testing for dangerous controlled substances.

ASSEMBLY, No. 2262

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Assemblyman BRIAN P. STACK

District 33 (Hudson)

Co-Sponsored by:

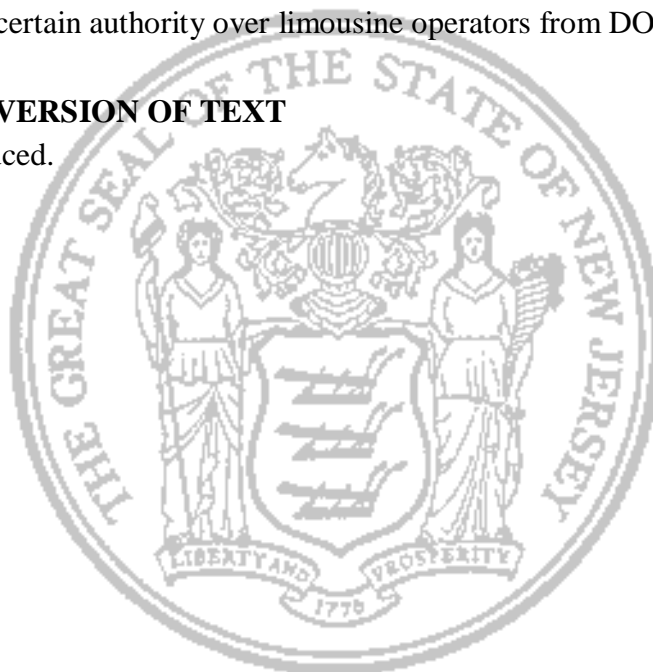
Assemblyman Johnson

SYNOPSIS

Transfers certain authority over limousine operators from DOT to MVC.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/23/2006)

1 AN ACT concerning limousines and amending P.L.2001, c. 416.

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14 Vehicle Commission (hereinafter the "chief administrator") may
15 require.

16 b. An applicant subject to the provisions of subsection a. of this
17 section shall submit to being fingerprinted by the Division of State
18 Police in the Department of Law and Public Safety or by agents
19 appointed by or under contract to the division. The applicant also
20 shall provide written consent to the performance of a criminal
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25 Investigation and the Division of State Police. The division shall
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27 criminal history record background check reveals a conviction of a
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34 name and fingerprint data with those on file with the Federal
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6 robbery, aggravated sexual assault, sexual assault or endangering
7 the welfare of a child pursuant to N.J.S.2C:24-4, whether or not
8 armed with or having in his possession any weapon enumerated in
9 subsection r. of N.J.S.2C:39-1, a crime pursuant to the provisions of
10 N.J.S.2C:39-3, N.J.S.2C:39-4 or N.J.S.2C:39-9, or other than a
11 disorderly persons or petty disorderly persons offense for the
12 unlawful use, possession or sale of a controlled dangerous
13 substance as defined in N.J.S.2C:35-2.

14 (2) In any other state, territory, commonwealth or other
15 jurisdiction of the United States, or any country in the world, as a
16 result of a conviction in a court of competent jurisdiction, a crime
17 which in that other jurisdiction or country is comparable to one of
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35 State Limousine Advisory Committee, the **【Commissioner of**
36 **Transportation】** Chief Administrator of the New Jersey Motor
37 Vehicle Commission shall adopt regulations, pursuant to the
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39 seq.), for the licensing and testing of applicants for employment as
40 limousine operators or drivers. The regulations shall be
41 substantially similar to the regulations of New York City
42 concerning the testing of an applicant for a for-hire vehicle driver's
43 license pursuant to section 6-15 of Title 35 of the New York City
44 Rules and Regulations.

45 (cf: P.L.2001, c.416, s.10)

46

47 3. This act shall take effect immediately.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2262

STATE OF NEW JERSEY

DATED: MAY 15, 2006

The Assembly Transportation and Public Works Committee reports favorably Assembly Bill No. 2262.

As reported, this bill would amend the current law to transfer the authority to regulate limousine services in this State from the Department of Transportation to the New Jersey Motor Vehicle Commission. In doing so, the New Jersey Motor Vehicle Commission could properly promulgate rules concerning the regulation of operators.