

2A:171-1.2

LEGISLATIVE HISTORY CHECKLIST

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(Sunday sales)

NJSA: 2A:171-1.2

LAW OF: 1997 CHAPTER: 86

BILL NO: S765

SPONSOR(S): Connors

DATE INTRODUCED: February 15, 1996

COMMITTEE: ASSEMBLY: Housing  
SENATE: State Government

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: March 13, 1997  
SENATE: June 20, 1996

DATE OF APPROVAL: May 5, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

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SENATE, No. 765

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Senator CONNORS

1 AN ACT concerning Sunday sales and amending P.L.1955, c.254.

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

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6 1. Section 2 of P.L.1955, c.254 (C.2A:171-1.2) is amended to read  
7 as follows:

8 2. The following definitions shall apply for the words or terms used  
9 in this act unless other meaning is clearly apparent from the language  
10 or context:

11 "Motor vehicle" means and includes all vehicles propelled otherwise  
12 than by muscular power, excepting such vehicles as run only upon rails  
13 or tracks and manufactured homes as defined in section 3 of P.L.1983,  
14 c.400 (C.54:4-1.4).

15 "New motor vehicle" means only newly manufactured motor  
16 vehicles and includes but is not limited to motorcycles, trailers, trucks,  
17 passenger cars and tractors.

18 "Used motor vehicle" means every motor vehicle, title to, or  
19 possession of, which has been transferred from the person who first  
20 acquired it from the manufacturer or dealer and has been so used as to  
21 become or is commonly known as secondhand within the ordinary  
22 meaning thereof, and includes every motor vehicle other than a new  
23 motor vehicle, including but not limited to motorcycles, trailers,  
24 tractors, trucks and passenger cars.

25 "Person" includes natural persons, firms, partnerships, corporations,  
26 associations or other artificial bodies, trustees, receiver and officers,  
27 employees, agents, and others acting for or on behalf of any person.  
28 (cf: P.L.1955, c.254, s.2)

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30 2. This act shall take effect immediately.

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

**Matter underlined thus is new matter.**

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STATEMENT

This bill would enable a manufactured home to be treated other than as a motor vehicle for purposes of Sunday sales by the manufactured housing industry. At present, those in this industry who sell manufactured homes on Sunday risk fines of as much as \$750 and imprisonment for six months, or both, for a third offense.

With the enactment of P.L.1994, c.150, New Jersey licensed real estate brokers were permitted to offer brokerage sales services of manufactured housing to leased land community residents. Since the real estate industry is permitted to be open on Sunday, the products of the manufactured housing industry, manufactured homes, may be sold at that time only by licensed real estate brokers. This has resulted in a brokerage advantage for licensed real estate brokers.

This bill amends the definition of "motor vehicle" to exclude manufactured homes, as defined in section 3 of P.L.1983, c.400 (C.54:4-1.4). The consumer would no longer be deprived of access on Sundays to knowledgeable sales services from the manufactured housing community.



Permits Sunday sales of manufactured homes.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

**SENATE, No. 765**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 7, 1996

The Assembly Housing Committee reports favorably Senate Bill No. 765.

This bill would enable a manufactured home to be treated other than as a motor vehicle for purposes of Sunday sales by the manufactured housing industry. At present, those in this industry who sell manufactured homes on Sunday risk fines of as much as \$750 and imprisonment for six months, or both, for a third offense.

With the enactment of P.L.1994, c.150, New Jersey licensed real estate brokers were permitted to offer brokerage sales services of manufactured housing to leased land community residents. Since the real estate industry is permitted to be open on Sunday, the products of the manufactured housing industry, manufactured homes, may be sold at that time only by licensed real estate brokers. This has resulted in a brokerage advantage for licensed real estate brokers.

This bill amends the definition of "motor vehicle" to exclude manufactured homes, as defined in section 3 of P.L.1983, c.400 (C.54:4-1.4).

This bill is identical to Assembly Bill No. 2119, also reported by this committee on November 7, 1996.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 765**

**STATE OF NEW JERSEY**

DATED: MAY 9, 1996

The Senate State Government Committee reports favorably Senate, No. 765.

This bill amends the definition of "motor vehicle" in the law governing the purchase and sale of motor vehicles on Sundays (P.L.1955, c.254; C.2A:171-1.1 et seq.) to exclude manufactured homes, as defined in section 3 of P.L.1983, c.400 (C.54:4-1.4). As a result of this change, a manufactured home would not be considered the same as a motor vehicle and could not be excluded from Sunday sales, as are motor vehicles, pursuant to section 1 of P.L.1955, c.254 (C.2A:171-1.1).

Under current law, manufactured home retailers who sell such products on Sunday risk a fine of up to \$100 and imprisonment for up to 10 days, or both, for a first offense; a fine of up to \$500 and imprisonment for up to 30 days, or both, for a second offense; and a fine of \$750 and imprisonment for six months, or both, for a third offense.

With the enactment of P.L.1994, c.150 (C.39:10-19), New Jersey licensed real estate brokers were permitted to offer brokerage sales services of manufactured housing to leased land community residents. Since the real estate industry is permitted to be open on Sunday, manufactured homes may be sold at that time only by licensed real estate brokers. This has resulted in a brokerage advantage for licensed real estate brokers.