

LEGISLATIVE HISTORY CHECKLIST  
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(Driving while license  
 suspended--penalties)

NJSA: 39:3-40

LAWS OF: 1992

CHAPTER: 203

BILL NO: A1047

SPONSOR(S) Geist

DATE INTRODUCED: February 27, 1992

COMMITTEE: ASSEMBLY: Insurance

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: May 7, 1992

SENATE: December 7, 1992

DATE OF APPROVAL: December 24, 1992

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

KEG:pp

1 **AN ACT** increasing the penalty for operating a motor vehicle  
2 under certain circumstances and amending R.S.39:3-40.

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

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

7 39:3-40. No person to whom a driver's license has been  
8 refused or whose driver's license or reciprocity privilege has  
9 been suspended or revoked, or who has been prohibited from  
10 obtaining driver's license, shall personally operate a motor  
11 vehicle during the period of refusal, suspension, revocation, or  
12 prohibition.

13 No person whose motor vehicle registration has been revoked  
14 shall operate or permit the operation of such motor vehicle  
15 during the period of such revocation.

16 A person violating this section shall be subject to the following  
17 penalties:

18 a. Upon conviction for a first offense, a fine of \$500.00;

19 b. Upon conviction for a second offense, a fine of \$750.00 and  
20 imprisonment in the county jail for not more than five days;

21 c. Upon conviction for a third offense, a fine of \$1,000.00 and  
22 imprisonment in the county jail for 10 days;

23 d. Upon conviction, the court shall impose or extend a period  
24 of suspension not to exceed six months;

25 e. Upon conviction, the court shall impose a period of  
26 imprisonment for not less than 45 days, if while operating a  
27 vehicle in violation of this section a person is involved in an  
28 accident resulting in personal injury to another person.

29 Notwithstanding subsections a. through e., any person violating  
30 this section while under suspension issued pursuant to R.S.39:4-50  
31 or section 2 of P.L.1972, c.197 (C.39:6B-2), upon conviction, shall  
32 be fined \$500.00, shall have his license to operate a motor vehicle  
33 suspended for an additional period of not less than one year nor  
34 more than two years, and may be imprisoned in the county jail for  
35 not more than 90 days.

36 (cf: P.L.1986, c.38, s.1)

37 2. This act shall take effect immediately.

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#### STATEMENT

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42 This bill amends R.S.39:3-40 to increase the penalties for  
43 operating a vehicle during a period of driver license suspension

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 for failure to carry motor vehicle insurance coverage. The  
2 penalty would be a fine of \$500 and an additional driver license  
3 suspension of one to two years. In addition, the court may order  
4 a term of imprisonment for a period of not more than 90 days.

5 These are the same penalties which are imposed for operating a  
6 motor vehicle during a period of suspension for drunk driving.

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11 Increases penalty for operating vehicle while driver license is  
12 suspended for failure to carry motor vehicle insurance.

ASSEMBLY, No. 1047  
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1992

By Assemblyman GEIST

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suspended for failure to carry motor vehicle insurance.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1047

STATE OF NEW JERSEY

DATED: MARCH 30, 1992

The Assembly Insurance Committee reports favorably Assembly Bill No. 1047

This bill amends R.S.39:3-40 to increase the penalties for operating a vehicle during a period of driver license suspension for failure to carry motor vehicle insurance coverage. The penalty would be a fine of \$500 and an additional driver license suspension of one to two years. In addition, the court may order a term of imprisonment for a period of not more than 90 days.

These are the same penalties which are imposed for operating a motor vehicle during a period of suspension for drunk driving.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1047

STATE OF NEW JERSEY

DATED: SEPTEMBER 14, 1992

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1047.

This bill amends R.S.39:3-40 to increase the penalties for operating a vehicle during a period of driver license suspension for failure to carry motor vehicle insurance coverage. The penalty would be a fine of \$500 and an additional driver license suspension of one to two years. In addition, the court may order a term of imprisonment for a period of not more than 90 days.

These are the same penalties which are imposed for operating a motor vehicle during a period of suspension for drunk driving.

As released by the committee, this bill is identical to Senate Bill No. 813 of 1992.