

6:1-65

LEGISLATIVE HISTORY CHECKLIST

NJSA 6:1-65 (Aircraft registration--unpaid fees)

Laws of 1971 Chapter 301

Bill No. A1365

Sponsor(s) Vreeland & 10 others

Date Introduced Dec. 10, 1970

Committee: Assembly Transportation & communications

Senate -

Amended during passage Yes No

Date of passage: Assembly May 6, 1971

Senate May 10, 1971

Date of approval August 27, 1971

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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STATE OF NEW JERSEY

INTRODUCED DECEMBER 10, 1970

By Assemblymen VREELAND, THOMAS, CONNELL, MABIE,
BROWN, SUMINSKI, GAVAN, COBB, FORAN, LITTELL and
HIGGINS

Referred to Committee on Transportation and Public Utilities

AN ACT to amend the "Aircraft Registration Act (1964),"
approved July 1, 1964 (P. L. 1964, c. 128).

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

1 1. Section 3 of P. L. 1964, c. 128 (C. 6:1-65) is amended to read
2 as follows:

3 3. The owner or person entitled to the exclusive use of any air-
4 craft based within this State, whether the same is being operated
5 within or beyond the boundaries of this State, or any rentor of air-
6 craft, shall annually register said aircraft with the Commissioner,
7 Department of **[Conservation and Economic Development]** *Trans-*
8 *portation* and pay the registration fees in this act prescribed, which
9 fees shall be in lieu of any assessment or personal property tax im-
10 posed by the laws of this State. *Fees are due and payable for each*
11 *licensing year from July 1, 1964. A current registration may not*
12 *be issued by the commissioner unless the unpaid fees, if any, for the*
13 *preceding years (not to exceed 2 years) that an aircraft was based*
14 *in this State without being registered and the fees paid therefor, are*
15 *concurrently paid for those years in addition to the current year.*

1 2. Section 15 of P. L. 1964, c. 128 (C. 6:1-77) is amended to read
2 as follows:

3 15. Any person violating any provision of this act or any rule or
4 regulation authorized hereby and any person who owns or is en-
5 titled to the exclusive use of an aircraft and any person who
6 operates an aircraft, required to be registered under this act, which
7 is not currently registered **[is a disorderly person]** and *the proper*
8 *fees paid therefor* shall be subject to a **[fine]** *penalty* of not less
9 than \$25.00 or more than \$1,000.00 for each year or period not so

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

10 registered which penalty may be collected and enforced in an action
 11 by the Division of Aeronautics in the name of the State in a court
 12 of competent jurisdiction in a summary manner, without a jury, in
 13 accordance with the procedures prescribed in "The Penalty En-
 14 forcement Law" (P. L. 1948, c. 253).

15 All [fines or] penalties levied for violations of this act shall be
 16 accounted for by the judge or [hearing magistrate] other judicial
 17 officer and forwarded to the [Chief of the Bureau] Director of
 18 Aeronautics, Department of [Conservation and Economic Develop-
 19 ment] Transportation, who shall deposit the same with the State
 20 Treasurer. The State Treasurer shall account for and dispose of
 21 said moneys in the same manner as provided for the disposition of
 22 registration fees by section 11, chapter 128, laws of 1964.

1 3. Section 16 of P. L. 1964, c. 128 (C. 6:1-78) is amended to read
 2 as follows:

3 16. The commissioner or the Director of Aeronautics may
 4 authorize any law enforcement officer to seize or impound any un-
 5 registered aircraft based in this State and to prevent its use or
 6 removal until the owner or person entitled to its use shall produce
 7 evidence or registration, including the payment of the proper regis-
 8 tration fees, or appear before a court of competent jurisdiction in
 9 response to a summons or warrant charging violation of this act.
 10 The owner of or any person entitled to the exclusive use or opera-
 11 tion of any aircraft so impounded shall, prior to the release of said
 12 aircraft by the department, pay all costs involved including present
 13 and prior registration fees, not to exceed a total of 3 years, hangar
 14 fees, towing charges, security arrangements and other reasonable
 15 charges accruing from the impounding. Such costs shall be paid to
 16 the Division of Aeronautics for deposit with the State Treasurer.

1 4. This act shall take effect immediately.

STATEMENT

1. The amendment to section 3 will permit the State of New Jersey to collect registration fees not paid for the two previous licensing years. This has been very difficult to accomplish in the years past without specific statutory authority.

2. The purpose of the amendment to section 15 is to remove the "disorderly person" classification from a person violating the provisions of the "Aircraft Registration Act of 1964."

This change will then reduce the burden of proof required for judgments thereby saving many man hours and also removing an unrealistic stigma from this type of violation.

More importantly, C. 284, L. 1967, sections 1 and 2, effective January 23, 1968 require the reporting of all disorderly person offenses to the Division of State Police for an annual report to the Governor on crime statistics. This type offense is not consistent with the purposes of C. 284, L. 1967 and therefore would reduce the efficacy of the statistics contained therein.

3. The procedures for the impounding of aircraft will be clarified by the amendment of section 16 of the act.