

39:1-1

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:1-1; 39:3-27.19 to 39:3-27.23 (Commuter vans--special license plates and registration certificates)

LAWS 1981 CHAPTER 139

Bill No. A1843

Sponsor(s) McManimon

Date Introduced June 23, 1980

Committee: Assembly Transportation and Communications

Senate Law, Public Safety and Defense

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.
Date of Passage: Assembly Nov. 24, 1980
Senate Feb. 2, 1981 Substituted for S1392 (not attached since identical to A1843)

Date of approval May 4, 1981

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

6/22/81

5-4-81

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ASSEMBLY, No. 1843

STATE OF NEW JERSEY

INTRODUCED JUNE 23, 1980

By Assemblyman McMANIMON

Referred to Committee on Revenue, Finance and Appropriations

AN ACT concerning motor vehicle registration in certain cases, amending R. S. 39:1-1 and supplementing chapter 3 of Title 39 of the Revised Statutes **and making an appropriation therefor**.

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

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

2 39:1-1. As used in this subtitle, unless other meaning is clearly
3 apparent from the language or context, or unless inconsistent with
4 the manifest intention of the Legislature:

5 "Alley" means a public highway wherein the roadway does not
6 exceed 12 feet in width.

7 "Authorized emergency vehicles" means vehicles of the fire de-
8 partment, police vehicles and such ambulances and other vehicles
9 as are approved by the Director of the Division of Motor Vehicles
10 in the Department of Law and Public Safety when operated in
11 response to an emergency call.

12 "Automobile" includes all motor vehicles except motorcycles.

13 "Berm" means that portion of the highway exclusive of roadway
14 and shoulder, bordering the shoulder but not to be used for ve-
15 hicular travel.

16 "Business district" means that portion of a highway and the
17 territory contiguous thereto, where within any 600 feet along such
18 highway there are buildings in use for business or industrial pur-
19 poses, including but not limited to hotels, banks, office buildings,
20 railroad stations, and public buildings which occupy at least 300
21 feet of frontage on one side or 300 feet collectively on both sides
22 of the roadway.

23 "Commercial motor vehicle" includes every type of motor-driven
24 vehicle used for commercial purposes on the highways, such as the
25 transportation of goods, wares and merchandise, excepting such
26 vehicles as are run only upon rails or tracks and vehicles of the

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

27 passenger car type used for touring purposes or the carrying of
28 farm products and milk, as the case may be.

29 "Commissioner" means the Director of the Division of Motor
30 Vehicles in the Department of Law and Public Safety of this State.

31 "*Commuter van*" means a motor vehicle having a seating capacity
32 of not less than eight nor more than 15 adult passengers, ***[**not in-
33 cluding the driver,**]*** in which eight or more persons commute on a
34 daily basis to and from work *and which vehicle may also be op-
34A erated by the driver or other designated persons for their personal
34B use*.

35 "Crosswalk" means that part of a highway at an intersection
36 included within the connections of the lateral lines of the sidewalks
37 on opposite sides of the highway measured from the curbs or, in
38 the absence of curbs, from the edges of the shoulder or, if none,
39 from the edges of the roadway; also, any portion of a highway at
40 an intersection or elsewhere distinctly indicated for pedestrian
41 crossing by lines or other marking on the surface.

42 "Dealer" includes every person actively engaged in the business
43 of buying, selling or exchanging motor vehicles or motorcycles and
44 who has an established place of business.

45 "Department" means the Division of Motor Vehicles in the
46 Department of Law and Public Safety of this State acting directly
47 or through its duly authorized officers or agents.

48-49 "Deputy commissioner" means deputy director of the Division
50 of Motor Vehicles in the Department of Law and Public Safety.

51 "Deputy director" means deputy director of the Division of
52 Motor Vehicles in the Department of Law and Public Safety.

53 "Director" means the Director of the Division of Motor Vehicles
54 in the Department of Law and Public Safety.

55 "Division" means the Division of Motor Vehicles in the Depart-
56 ment of Law and Public Safety acting directly or through its duly
57 authorized officers or agents.

58 "Driver" means the rider or driver of a horse, bicycle or motor-
59 cycle or the driver or operator of a motor vehicle, unless otherwise
60 specified.

61 "Explosives" means any chemical compound or mechanical
62 mixture that is commonly used or intended for the purpose of
63 producing an explosion and which contains any oxidizing and com-
64 bustive units or other ingredients in such proportions, quantities,
65 or packing that an ignition by fire, friction, by concussion, by
66 percussion, or by detonator of any part of the compound or mixture
67 may cause such a sudden generation of highly heated gases that the

68 resultant gaseous pressures are capable of producing destructive
69 effects on contiguous objects or of destroying life or limb.

70 "Farm tractor" means every motor vehicle designed and used
71 primarily as a farm implement for drawing plows, mowing
72 machines, and other implements of husbandry.

73 "Flammable liquid" means any liquid having a flash point below
74 200° Fahrenheit, and a vapor pressure not exceeding 40 pounds.

75 "Gross weight" means the combined weight of a vehicle and any
76 load thereon.

77 "Highway" means the entire width between the boundary lines
78 of every way publicly maintained when any part thereof is open to
79 the use of the public for purposes of vehicular travel.

80 "Horse" includes mules and all other domestic animals used as
81 draught animals or beasts of burden.

82 "Inside lane" means the lane nearest the center line of the road-
83 way.

84 "Intersection" means the area embraced within the prolongation
85 of the lateral curb lines or, if none, the lateral boundary lines of two
86 or more highways which join one another at an angle, whether or
87 not one such highway crosses another.

88 "Laned roadway" means a roadway which is divided into two
89 or more clearly marked lanes for vehicular traffic.

90 "Limited-access highway" means every highway, street, or road-
91 way in respect to which owners or occupants of abutting lands and
92 other persons have no legal right of access to or from the same
93 except at such points only and in such manner as may be determined
94 by the public authority having jurisdiction over such highway,
95 street, or roadway; and includes any highway designated as a
96 "freeway" or "parkway" by authority of law.

97 "Local authorities" means every county, municipal and other
98 local board or body having authority to adopt local police regula-
99 tions under the Constitution and laws of this State, including every
100 county board of chosen freeholders with relation to county roads.

101 "Magistrate" means any municipal court, county district court,
102 criminal judicial district court, County Court and the Superior
103 Court, and any officer having the powers of a committing magis-
104 trate and the Director of the Division of Motor Vehicles in the
105 Department of Law and Public Safety.

106 "Manufacture" means a person engaged in the business of
107 manufacturing or assembling motor vehicles, who will, under
108 normal business conditions during the year, manufacture or
109 assemble at least 10 new motor vehicles.

110 "Metal tire" means every tire the surface of which in contact
111 with the highway is wholly or partly of metal or other hard non-
112 resilient material.

113 "Motorized bicycle" means a pedal bicycle having a helper
114 motor characterized in that either the maximum piston displace-
115 ment is less than 50 cc. or said motor is rated at no more than 1.5
116 brake horsepower and said bicycle is capable of a maximum speed
117 of no more than 25 miles per hour on a flat surface.

118 "Motoreycle" includes motoreycles, motor bikes, bicycles with
119 motor attached and all motor operated vehicles of the bicycle or
120 tricycle type, except motorized bicycles as defined in this section,
121 whether the motive power be a part thereof or attached thereto
122 and having a saddle or seat with driver sitting astride or upon it,
123 or a platform on which the driver stands.

124 "Motor-drawn vehicle" includes trailers, semitrailers, or any
125 other type of vehicle drawn by a motor-driven vehicle.

126 "Motor vehicle" includes all vehicles propelled otherwise than
127 by muscular power, excepting such vehicles as run only upon rails
128 or tracks and motorized bicycles.

129 "Noncommercial truck" means every motor vehicle designed
130 primarily for transportation of property, and which is not a
131 "commercial vehicle."

132 "Official traffic control devices" means all signs, signals, mark-
133 ings, and devices not inconsistent with this subtitle placed or
134 erected by authority of a public body or official having jurisdiction,
135 for the purpose of regulating, warning, or guiding traffic.

136 "Omnibus" includes all motor vehicles used for the transporta-
137 tion of passengers for hire, except *commuter vans and* school buses
138 if the same are not otherwise used in the transportation of passen-
139 gers for hire.

140 "Operator" means a person who is in actual physical control of
141 a vehicle or street car.

142 "Outside lane" means the lane nearest the curb or outer edge
143 of the roadway.

144 "Owner" means a person who holds the legal title of a vehicle,
145 or if a vehicle is the subject of an agreement for the conditional
146 sale or lease thereof with the right of purchase upon performance
147 of the conditions stated in the agreement and with an immediate
148 right of possession vested in the conditional vendee or lessee, or
149 if a mortgagor of a vehicle is entitled to possession, then the con-
150 ditional vendee, lessee or mortgagor shall be deemed the owner
151 for the purpose of this subtitle.

152 "Parking" means the standing or waiting on a street, road or
153 highway of a vehicle not actually engaged in receiving or discharg-
154 ing passengers or merchandise, unless in obedience to traffic regu-
155 lations or traffic signs or signals.

156 "Passenger automobile" means all automobiles used and de-
157 signed for the transportation of passengers, other than omnibuses
158 and school buses.

159 "Pedestrian" means a person afoot.

160 "Person" includes natural persons, firms, copartnerships, asso-
161 ciations, and corporations.

162 "Pneumatic tire" means every tire in which compressed air is
163 designed to support the load.

164 "Pole trailer" means every vehicle without motive power
165 designed to be drawn by another vehicle and attached to the towing
166 vehicle by means of a reach, or pole, or by being boomed or other-
167 wise secured to the towing vehicle, and ordinarily used for trans-
168 porting long or irregularly shaped loads such as poles, pipes, or
169 structural members capable, generally, of sustaining themselves
170 as beams between the supporting connections.

171 "Private road or driveway" means every road or driveway not
172 open to the use of the public for purposes of vehicular travel.

173 "Railroad train" means a steam engine, electric or other motor,
174 with or without cars coupled thereto, operated upon rails, except
175 street cars.

176 "Residence district" means that portion of a highway and the
177 territory contiguous thereto, not comprising a business district,
178 where within any 600 feet along such highway there are buildings
179 in use for business or residential purposes which occupy 300 feet
180 or more of frontage on at least one side of the highway.

181 "Right-of-way" means the privilege of the immediate use of the
182 highway.

183 "Road tractor" means every motor vehicle designed and used
184 for drawing other vehicles and not so constructed as to carry any
185 load thereon either independently or any part of the weight of a
186 vehicle or load so drawn.

187 "Roadway" means that portion of a highway improved,
188 designed, or ordinarily used for vehicular travel, exclusive of the
189 berm or shoulder. In the event a highway includes two or more
190 separate roadways the term "roadway" as used herein shall refer
191 to any such roadway separately, but not to all such roadways,
192 collectively.

193 "Safety zone" means the area or space officially set aside within
194 a highway for the exclusive use of pedestrians, which is so plainly

195 marked or indicated by proper signs as to be plainly visible at all
196 times while set apart as a safety zone.

197 "School bus" means every motor vehicle operated by, or under
198 contract with, a public or governmental agency, or religious or
199 other charitable organization or corporation, or privately operated
200 for compensation for the transportation of children to or from
201 school for secular or religious education which complies with the
202 regulations of the Department of Education affecting school buses
203 including "School Vehicle Type I" and "School Vehicle Type II"
204 as defined below:

205 "School Vehicle Type I" means any vehicle with a seating
206 capacity of 17 or more, used to transport enrolled children, and
207 adults only when serving as chaperones, to or from a school, school
208 connected activity, day camp, summer day camp, nursery school,
209 child care center, preschool center or other similar places of edu-
210 cation. Such vehicle shall comply with the regulations of the
211 Division of Motor Vehicles and either the Department of Edu-
212 cation or the Department of Institutions and Agencies whichever
213 is the appropriate supervising agency.

214 "School Vehicle Type II" means any vehicle with a seating
215 capacity of 16 or less, used to transport enrolled children, and
216 adults only when serving as chaperones, to or from a school, school
217 connected activity, day camp, summer day camp, nursery school,
218 child care center, preschool center or other similar places of edu-
219 cation. Such vehicle shall comply with the regulations of the
220 Division of Motor Vehicles and either the Department of Edu-
221 cation or the Department of Institutions and Agencies whichever
222 is the appropriate supervising agency.

223 "School zone" means that portion of a highway which is either
224 contiguous to territory occupied by a school building or is where
225 school crossings are established in the vicinity of a school, upon
226 which are maintained appropriate "school signs" in accordance
227 with specifications adopted by the director and in accordance with
228 law.

229 "School crossing" means that portion of a highway where
230 school children are required to cross the highway in the vicinity of
231 a school.

232 "Semitrailer" means every vehicle with or without motive
233 power, other than a pole trailer, designed for carrying persons or
234 property and for being drawn by a motor vehicle and so constructed
235 that some part of its weight and that of its load rests upon or is
236 carried by another vehicle.

237 "Shoulder" means that portion of the highway, exclusive of and
238 bordering the roadway, designed for emergency use but not ordi-
239 narily to be used for vehicular travel.

240 "Sidewalk" means that portion of a highway intended for the
241 use of pedestrians, between the curb line or the lateral line of a
242 shoulder, or if none, the lateral line of the roadway, and the
243 adjacent right-of-way line.

244 "Sign." See "Official traffic control devices."

245 "Slow-moving vehicle" means a vehicle run at a speed less than
246 the maximum speed then and there permissible.

247 "Solid tire" means every tire of rubber or other resilient ma-
248 terial which does not depend upon compressed air for the support
249 of the load.

250 "Street" means the same as highway.

251 "Street car" means a car other than a railroad train for trans-
252 porting persons or property and operated upon rails principally
253 within a municipality.

254 "Stop," when required, means complete cessation from move-
255 ment.

256 "Stopping or standing," when prohibited, means any cessation
257 of movement of a vehicle, whether occupied or not, except when
258 necessary to avoid conflict with other traffic or in compliance with
259 the directions of a police officer or traffic control sign or signal.

260 "Through highway" means every highway or portion thereof at
261 the entrances to which vehicular traffic from intersecting highways
262 is required by law to stop before entering or crossing the same and
263 when stop signs are erected as provided in this chapter.

264 "Trackless trolley" means every motor vehicle which is pro-
265 pelled by electric power obtained from overhead trolley wires but
266 not operated upon rails.

267 "Traffic" means pedestrians, ridden or herded animals, vehicles,
268 street cars, and other conveyances either singly, or together, while
269 using any highway for purposes of travel.

270 "Traffic control signal" means a device whether manually,
271 electrically, mechanically, or otherwise controlled by which traffic
272 is alternately directed to stop and to proceed.

273-274 "Trailer" means every vehicle with or without motive power,
275 other than a pole trailer, designed for carrying persons or property
276 and for being drawn by a motor vehicle and so constructed that no
277 part of its weight rests upon the towing vehicle.

278 "Truck" means every motor vehicle designed, used, or main-
279 tained primarily for the transportation of property.

280 "Truck tractor" means every motor vehicle designed and used
 281 primarily for drawing other vehicles and not so constructed as to
 282 carry a load other than a part of the weight of the vehicle and load
 283 so drawn.

284 "Vehicle" means every device in, upon or by which a person or
 285 property is or may be transported upon a highway, excepting
 286 devices moved by human power or used exclusively upon stationary
 287 rails or tracks or motorized bicycles.

1 2. (New section) The Director of the Division of Motor Vehicles
 2 may issue, upon application on a form prescribed by him, a regis-
 3 tration certificate and registration plates for commuter vans as
 4 the application may indicate is warranted in accordance with the
 5 definition of these vehicles contained in R. S. 39:1-1 for the annual
 6 registration period ***[beginning July 1 and ending the following**
 7 **June 30]**.*

8 For each vehicle used as a commuter van the applicant for the
 9 registration thereof shall pay an annual fee of \$50.00. Any such
 10 applicant shall receive a credit for the unexpired portion of his
 11 registration for any vehicle covered under this act which has been
 12 issued prior to the effective date of this act on the basis of one-
 13 twelfth of the registration fee he has paid for each month remain-
 14 ing in such registration year.

15 The director shall design a plate to identify a vehicle as a com-
 16 muter van.

1 **3. Upon the termination of service of any vehicle used as a*
 2 *commuter van, the owner of the van shall return such special plate*
 3 *to the Division of Motor Vehicles within 10 days.*

1 *4. No person shall lend the special plate for use on a motor ve-*
 2 *hicle other than the vehicle for which issued, or use the same for*
 3 *a motor vehicle other than the vehicle for which issued.*

1 *5. The fine for violating this act is not less than \$25.00 nor more*
 2 *than \$50.00.**

1 ***[3. The]** **6. After consultation with the Department of En-*
 2 *ergy, the* director is authorized to promulgate rules and regula-*
 3 *tions necessary to effectuate the purposes of this act.*

1 **7. The sum of \$10,000.00 is appropriated to the Division of*
 2 *Motor Vehicles out of the General State Fund to effectuate the*
 3 *purposes of this act.**

1 ***[4.]** **8.* This act shall take effect 180 days following its enact-*
 2 *ment.*

286 devices moved by human power or used exclusively upon stationary
287 rails or tracks or motorized bicycles.

1 2. (New section) The Director of the Division of Motor Vehicles
2 may issue, upon application on a form prescribed by him, a regis-
3 tration certificate and registration plates for commuter vans as
4 the application may indicate is warranted in accordance with the
5 definition of these vehicles contained in R. S. 39:1-1 for the annual
6 registration period beginning July 1 and ending the following
7 June 30.

8 For each vehicle used as a commuter van the applicant for the
9 registration thereof shall pay an annual fee of \$50.00. Any such
10 applicant shall receive a credit for the unexpired portion of his
11 registration for any vehicle covered under this act which has been
12 issued prior to the effective date of this act on the basis of one-
13 twelfth of the registration fee he has paid for each month remain-
14 ing in such registration year.

15 The director shall design a plate to identify a vehicle as a com-
16 muter van.

1 3. The director is authorized to promulgate rules and regulations
2 necessary to effectuate the purposes of this act.

1 4. This act shall take effect 180 days following its enactment.

STATEMENT

The purpose of this bill is to permit the Director of the Division of Motor Vehicles to issue a special registration certificate and registration plates for commuter vans so that they will be readily identified.

This bill provides a statutory definition for a commuter van. It defines a commuter van as a motor vehicle having a seating capacity of not less than eight nor more than 15 adult passengers, not including the driver, in which eight or more persons commute on a daily basis to and from work.

The annual registration fee for a commuter van, as provided herein, is \$50.00 with the registration period beginning July 1 and ending the following June 30. Applicants for a commuter van registration who have already registered their vehicles prior to the effective date of this act shall receive a credit for the unexpired term of their initial registration.

The bill also directs the Director of the Division of Motor Vehicles to design a new license plate for commuter vans.

A1843 (1981)

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1843
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1980

The purpose of this bill is to permit the Director of the Division of Motor Vehicles to issue a special registration certificate and registration plates for commuter vans so that they will be readily identified. The committee amended the definition of commuter van to mean a motor vehicle having a seating capacity of not less than eight nor more than 15 adult passengers, in which eight or more persons commute on a daily basis to and from work. The committee also included a provision in the definition to clarify the point that the van may also be operated by the driver or other designated persons for their personal use.

The annual registration fee for a commuter van, as provided herein, is \$50.00. Applicants for a commuter van registration who have already registered their vehicles prior to the effective date of this act shall receive a credit for the unexpired term of their initial registration.

The bill also directs the Director of the Division of Motor Vehicles to design a new license plate for commuter vans.

Other amendments adopted by the Committee include the following:

1. registering the commuter vans on a staggered monthly schedule rather than for a fixed period from July 1 and ending the next June 30;
2. requiring that the special license plate for a commuter van be used exclusively for such a vehicle and that it be returned to the Division of Motor Vehicles upon the termination of service of any vehicle used as a commuter van;
3. inclusion of a penalty provision of a fine of not less than \$25.00 nor more than \$50.00 for any person violating the provisions of this act;
4. providing that the Director of the Division of Motor Vehicles is authorized to promulgate rules and regulations necessary to effectuate the provisions of this act after consultation with the Department of Energy.
5. appropriating \$10,000.00 from the General Sales Fund to the Division of Motor Vehicles to effectuate the purposes of this act.

The Department of Energy and the Division of Motor Vehicles are in full support of the bill.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1843 and SENATE, No. 1392

with Assembly committee amendments and
Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 26, 1981

The purpose of these bills is to permit the Director of the Division of Motor Vehicles to issue a special registration certificate and registration plates for commuter vans so that they will be readily identified. The Assembly Transportation and Communications Committee amended the definition of commuter van to mean a motor vehicle having a seating capacity of not less than eight nor more than 15 adult passengers, in which eight or more persons commute on a daily basis to and from work. The committee also included a provision in the definition to clarify the point that the van may also be operated by the driver or other designated persons for their personal use.

The annual registration fee for a commuter van, as provided herein, is \$50.00. Applicants for a commuter van registration who have already registered their vehicles prior to the effective date of this act shall receive a credit for the unexpired term of their initial registration.

The bill also directs the Director of the Division of Motor Vehicles to design a new license plate for commuter vans.

Other amendments adopted by the committee include the following:

1. Registering the commuter vans on a staggered monthly schedule rather than for a fixed period from July 1 and ending the next June 30;
2. Requiring that the special license plate for a commuter van be used exclusively for such a vehicle and that it be returned to the Division of Motor Vehicles upon the termination of service of any vehicle used as a commuter van;
3. Inclusion of a penalty provision of a fine of not less than \$25.00 nor more than \$50.00 for any person violating the provisions of this act;

4. Providing that the Director of the Division of Motor Vehicles is authorized to promulgate rules and regulations necessary to effectuate the provisions of this act after consultation with the Department of Energy.

5. Appropriating \$10,000.00 from the General State Fund to the Division of Motor Vehicles to effectuate the purposes of this act.

The Department of Energy and the Division of Motor Vehicles are in full support of the bills.

The Senate Law, Public Safety and Defense Committee amended Senate Bill No. 1392 to conform to Assembly Bill No. 1843 as amended by the Assembly Transportation and Communications Committee. Both bills were released.
