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LAW/RWH

P.L.2015, CHAPTER 49, *approved May 7, 2015*
Assembly, No. 2969 (*First Reprint*)

1 AN ACT ¹prohibiting the sale of **concerning certain**¹ merchandise
2 designed to conceal or ¹obscure degrade the legibility of¹
3 license ¹plate numbers plates¹ and ¹amending and¹
4 supplementing Title 39 of the Revised Statutes.

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

8
9 1. ¹(New section) In addition to any other penalty provided by
10 law, it shall be a petty disorderly persons offense to knowingly **A**
11 person shall not¹ sell, offer for sale, distribute, transfer, purchase,
12 receive, or possess any merchandise, including but not limited to
13 retractable license plate holders, reflective spray, or anti-photograph
14 license plate covers, knowing that such merchandise is designed or
15 intended to be used to conceal ¹or¹ degrade the legibility ¹or,
16 otherwise obstruct or obscure ¹of¹ any part of any marking
17 imprinted upon a vehicle's license plate ¹for the purpose of evading
18 law enforcement. The penalty for a violation of this section shall be
19 a fine not to exceed \$500. Nothing in this section shall be
20 construed to impose liability on a newspaper that accepts or
21 publishes classified advertising for merchandise that is designed or
22 intended to be used to conceal or degrade the legibility of any part
23 of any marking imprinted upon a vehicle's license plate for the
24 purpose of evading law enforcement¹.

25
26 ¹2. R.S.39:3-33 is amended to read as follows:

27 39:3-33. The owner of an automobile which is driven on the
28 public highways of this State shall display not less than 12 inches
29 nor more than 48 inches from the ground in a horizontal position,
30 and in such a way as not to swing, an identification mark or marks
31 to be furnished by the **division** commission; provided, that if two
32 marks are issued they shall be displayed on the front and rear of the
33 vehicle; and provided, further, that if only one mark is issued it
34 shall be displayed on the rear of the vehicle; and provided, further,
35 that the rear identification mark may be displayed more than 48
36 inches from the ground on tank trucks, trailers and other
37 commercial vehicles carrying inflammable liquids and on sanitation
38 vehicles which are used to collect, transport and dispose of garbage,
39 solid wastes and refuse. Motorcycles shall also display an

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted June 12, 2014.

1 identification mark or marks; provided, that if two marks are issued
2 they shall be displayed on the front and rear of the motorcycle; and
3 provided, further, that if only one mark is issued it shall be
4 displayed on the rear of the motorcycle.

5 The identification mark or marks shall contain the number of the
6 registration certificate of the vehicle and shall be of such design and
7 material as prescribed pursuant to section 2 of P.L.1989, c.202
8 (C.39:3-33.9). All identification marks shall be kept clear and
9 distinct and free from grease, dust or other blurring matter, so as to
10 be plainly visible at all times of the day and night.

11 No person shall drive a motor vehicle which has a concealed,
12 obstructed, or obscured license plate or which has a license plate
13 frame or identification marker holder that conceals or otherwise
14 obscures any part of any marking imprinted upon the vehicle's
15 registration plate or any part of any insert which the [director]
16 chief administrator, as hereinafter provided, issues to be inserted in
17 and attached to that registration plate or marker.

18 The [director] chief administrator is authorized and empowered
19 to issue registration plate inserts, to be inserted in and attached to
20 the registration plates or markers described herein. They may be
21 issued in the place of new registration plates or markers; and
22 inscribed thereon, in numerals, shall be the year in which
23 registration of the vehicle has been granted.

24 No person shall drive a motor vehicle the owner of which has not
25 complied with the provisions of this subtitle concerning the proper
26 registration and identification thereof, nor drive a motor vehicle
27 which displays a fictitious number, or a number other than that
28 designated for the motor vehicle in its registration certificate.
29 During the period of time between the application for motor vehicle
30 registration and the receipt of registration plates from the [division]
31 commission, no person shall affix a plate or marker for the purpose
32 of advertisement in the position on a motor vehicle normally
33 reserved for the display of the registration plates required by this
34 section if the plate or marker is designed with a combination of
35 letters, numbers, colors, or words to resemble the registration plates
36 required by this section.

37 A person convicted of displaying a fictitious number, or of
38 displaying a concealed, obscured, or obstructed license plate, as
39 prohibited herein, shall be subject to a fine not exceeding
40 **[\$500.00]** \$500 or imprisonment in the county jail for not more
41 than 60 days.

42 A person violating any other provision of this section shall be
43 subject to a fine not exceeding **[\$100.00]** \$100. In default of the
44 payment thereof, there shall be imposed an imprisonment in the
45 county jail for a period not exceeding 10 days. A person convicted
46 of a second offense of the same violation may be fined in double the
47 amount herein prescribed for the first offense and may, in default
48 of the payment thereof, be punished by imprisonment in the county

1 jail for a period not exceeding 20 days. These penalties shall not
2 apply to the display of a fictitious number.

3 (cf: P.L.1989, c.202, s.1)】¹

4 ¹【3.】2.¹ This act shall take effect immediately.

5

6

7

8

9 Prohibits sale, purchase, and possession of certain merchandise
10 designed to conceal license plate to evade law enforcement.

ASSEMBLY, No. 2969

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 24, 2014

Sponsored by:

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Co-Sponsored by:

Assemblymen Mukherji and Johnson

SYNOPSIS

Prohibits sale of merchandise designed to conceal license plates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/13/2014)

1 AN ACT prohibiting the sale of merchandise designed to conceal or
2 obscure license plate numbers and amending and supplementing
3 Title 39 of the Revised Statutes.

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

7
8 1. (New section) In addition to any other penalty provided by
9 law, it shall be a petty disorderly persons offense to knowingly sell,
10 offer for sale, distribute, transfer, purchase, receive, or possess any
11 merchandise, including but not limited to retractable license plate
12 holders, reflective spray, or anti-photograph license plate covers,
13 knowing that such merchandise is designed or intended to be used
14 to conceal, degrade the legibility, or otherwise obstruct or obscure
15 any part of any marking imprinted upon a vehicle's license plate.

16
17 2. R.S.39:3-33 is amended to read as follows:

18 39:3-33. The owner of an automobile which is driven on the
19 public highways of this State shall display not less than 12 inches
20 nor more than 48 inches from the ground in a horizontal position,
21 and in such a way as not to swing, an identification mark or marks
22 to be furnished by the **[division]** commission; provided, that if two
23 marks are issued they shall be displayed on the front and rear of the
24 vehicle; and provided, further, that if only one mark is issued it
25 shall be displayed on the rear of the vehicle; and provided, further,
26 that the rear identification mark may be displayed more than 48
27 inches from the ground on tank trucks, trailers and other
28 commercial vehicles carrying inflammable liquids and on sanitation
29 vehicles which are used to collect, transport and dispose of garbage,
30 solid wastes and refuse. Motorcycles shall also display an
31 identification mark or marks; provided, that if two marks are issued
32 they shall be displayed on the front and rear of the motorcycle; and
33 provided, further, that if only one mark is issued it shall be
34 displayed on the rear of the motorcycle.

35 The identification mark or marks shall contain the number of the
36 registration certificate of the vehicle and shall be of such design and
37 material as prescribed pursuant to section 2 of P.L.1989, c.202
38 (C.39:3-33.9). All identification marks shall be kept clear and
39 distinct and free from grease, dust or other blurring matter, so as to
40 be plainly visible at all times of the day and night.

41 No person shall drive a motor vehicle which has a concealed,
42 obstructed, or obscured license plate or which has a license plate
43 frame or identification marker holder that conceals or otherwise
44 obscures any part of any marking imprinted upon the vehicle's
45 registration plate or any part of any insert which the **[director]**

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 chief administrator, as hereinafter provided, issues to be inserted in
2 and attached to that registration plate or marker.

3 The **【director】** chief administrator is authorized and empowered
4 to issue registration plate inserts, to be inserted in and attached to
5 the registration plates or markers described herein. They may be
6 issued in the place of new registration plates or markers; and
7 inscribed thereon, in numerals, shall be the year in which
8 registration of the vehicle has been granted.

9 No person shall drive a motor vehicle the owner of which has not
10 complied with the provisions of this subtitle concerning the proper
11 registration and identification thereof, nor drive a motor vehicle
12 which displays a fictitious number, or a number other than that
13 designated for the motor vehicle in its registration certificate.
14 During the period of time between the application for motor vehicle
15 registration and the receipt of registration plates from the **【division】**
16 commission, no person shall affix a plate or marker for the purpose
17 of advertisement in the position on a motor vehicle normally
18 reserved for the display of the registration plates required by this
19 section if the plate or marker is designed with a combination of
20 letters, numbers, colors, or words to resemble the registration plates
21 required by this section.

22 A person convicted of displaying a fictitious number, or of
23 displaying a concealed, obscured, or obstructed license plate, as
24 prohibited herein, shall be subject to a fine not exceeding
25 **【\$500.00】** \$500 or imprisonment in the county jail for not more
26 than 60 days.

27 A person violating any other provision of this section shall be
28 subject to a fine not exceeding **【\$100.00】** \$100. In default of the
29 payment thereof, there shall be imposed an imprisonment in the
30 county jail for a period not exceeding 10 days. A person convicted
31 of a second offense of the same violation may be fined in double the
32 amount herein prescribed for the first offense and may, in default
33 of the payment thereof, be punished by imprisonment in the county
34 jail for a period not exceeding 20 days. These penalties shall not
35 apply to the display of a fictitious number.

36 (cf: P.L.1989, c.202, s.1)

37

38 3. This act shall take effect immediately.

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STATEMENT

42

43 This bill makes it a petty disorderly persons offense to
44 knowingly resell, offer for sale, distribute, transfer, purchase,
45 receive, or possess any merchandise, knowing that the merchandise
46 is designed or intended to be used to conceal, degrade the legibility,
47 or otherwise obstruct or obscure any part of any marking imprinted
48 upon a vehicle's license plate.

A2969 GARCIA, CAPUTO

4

1 Any person who violates the provisions of the bill shall be
2 subject to a fine not exceeding \$500 or imprisonment for not more
3 than 60 days.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2969

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2014

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 2969.

As amended and reported, this bill provides that a person shall not sell, offer for sale, distribute, transfer, purchase, receive, or possess any merchandise including, but not limited to, retractable license plate holders, reflective sprays, or anti-photograph license plate covers, knowing that the merchandise was designed or intended to be used to conceal or degrade the legibility of any part of any marking imprinted upon a vehicle's license plate for the purpose of evading law enforcement. The bill provides that newspapers that accept or publish classified advertising for this type of merchandise are exempt from liability. The penalty for a violation is a fine not to exceed \$500.

COMMITTEE AMENDMENTS

The committee amended the bill to specify that merchandise is prohibited if it was designed or intended to be used for the purpose of evading law enforcement. The amendments also provide that the penalty is a fine not to exceed \$500, rather than a petty disorderly persons offense.

The committee amendments provide that newspapers that accept or publish classified advertising for this type of merchandise are exempt from liability.

Finally, the committee amended the bill to remove language concerning a person who drives a motor vehicle with a license plate that is concealed, obscured, or obstructed.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2969

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2015

The Senate Transportation Committee reports favorably Assembly Bill No. 2969(1R).

As reported, this bill provides that a person is prohibited from selling, offering for sale, distributing, transferring, purchasing, receiving, or possessing any merchandise including, but not limited to, retractable license plate holders, reflective sprays, or anti-photograph license plate covers, knowing that the merchandise was designed or intended to be used to conceal or degrade the legibility of any part of any marking imprinted upon a vehicle's license plate for the purpose of evading law enforcement. The bill provides that newspapers that accept or publish classified advertising for this type of merchandise are exempt from liability. The penalty for a violation is a fine not to exceed \$500.

As reported, this bill is identical to Senate Bill No. 2546, which also was reported by the committee on this date.

SENATE, No. 2546

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED OCTOBER 27, 2014

Sponsored by:
Senator RONALD L. RICE
District 28 (Essex)

SYNOPSIS

Prohibits sale, purchase, and possession of certain merchandise designed to conceal license plate to evade law enforcement.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain merchandise designed to conceal or
2 degrade the legibility of license plates and supplementing Title 39
3 of the Revised Statutes.

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

7
8 1. A person shall not sell, offer for sale, distribute, transfer,
9 purchase, receive, or possess any merchandise, including but not
10 limited to retractable license plate holders, reflective spray, or anti-
11 photograph license plate covers, knowing that such merchandise is
12 designed or intended to be used to conceal or degrade the legibility
13 of any part of any marking imprinted upon a vehicle's license plate
14 for the purpose of evading law enforcement. The penalty for a
15 violation of this section shall be a fine not to exceed \$500. Nothing
16 in this section shall be construed to impose liability on a newspaper
17 that accepts or publishes classified advertising for merchandise that
18 is designed or intended to be used to conceal or degrade the
19 legibility of any part of any marking imprinted upon a vehicle's
20 license plate for the purpose of evading law enforcement.

21
22 2. This act shall take effect immediately.

23
24
25 STATEMENT

26
27 This bill provides that a person is prohibited from selling,
28 offering for sale, distributing, transferring, purchasing, receiving, or
29 possessing any merchandise including, but not limited to,
30 retractable license plate holders, reflective sprays, or anti-
31 photograph license plate covers, knowing that the merchandise was
32 designed or intended to be used to conceal or degrade the legibility
33 of any part of any marking imprinted upon a vehicle's license plate
34 for the purpose of evading law enforcement. The bill provides that
35 newspapers that accept or publish classified advertising for this type
36 of merchandise are exempt from liability. The penalty for a
37 violation is a fine not to exceed \$500.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2546

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2015

The Senate Transportation Committee reports favorably Senate Bill No. 2546.

As reported, this bill provides that a person is prohibited from selling, offering for sale, distributing, transferring, purchasing, receiving, or possessing any merchandise including, but not limited to, retractable license plate holders, reflective sprays, or anti-photograph license plate covers, knowing that the merchandise was designed or intended to be used to conceal or degrade the legibility of any part of any marking imprinted upon a vehicle's license plate for the purpose of evading law enforcement. The bill provides that newspapers that accept or publish classified advertising for this type of merchandise are exempt from liability. The penalty for a violation is a fine not to exceed \$500.

As reported, this bill is identical to Assembly Bill No. 2969 (1R) which also was reported by the committee on this date.