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LAW/IS 3/2/09

P.L. 2008, CHAPTER 107, *approved December 4, 2008*
Assembly, No. 1498

1 AN ACT concerning motor vehicle accidents resulting in death or
2 incapacitation to the driver or passenger, designating the act as
3 “Daniel Mackay’s Law,” and amending R.S.39:4-131 and
4 P.L.1964, c.81.

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

8
9 1. R.S.39:4-131 is amended to read as follows:

10 39:4-131. The **[division]** commission shall prepare and supply
11 to police departments and other suitable agencies, forms for
12 accident reports calling for sufficiently detailed information with
13 reference to a motor vehicle accident, including the cause, the
14 conditions then existing, the persons and vehicles involved, the
15 compliance with P.L.1984, c.179 (C.39:3-76.2e et seq.) by the
16 operators and passengers of the vehicles involved in the accident,
17 whether the operator of the vehicle was using a cellular telephone
18 when the accident occurred, and such other information as the
19 **[director]** chief administrator may require.

20 Every law enforcement officer who investigates a vehicle
21 accident of which report must be made as required in this Title, or
22 who otherwise prepares a written report as a result of an accident or
23 thereafter by interviewing the participants or witnesses, shall
24 forward a written report of such accident to the **[division]**
25 commission, on forms furnished by it, within five days after his
26 investigation of the accident.

27 Such written reports required to be forwarded by law
28 enforcement officers and the information contained therein shall not
29 be privileged or held confidential. Every citizen of this State shall
30 have the right, during regular business hours and under supervision,
31 to inspect and copy such reports and shall also have the right in
32 person to purchase copies of the reports at the same fee established
33 by **[section 2 of P.L.1963, c.73 (C.47:1A-2)]** section 6 of P.L.2001,
34 c.404 (C.47:1A-5). If copies of reports are requested other than in
35 person, an additional fee of up to \$5.00 for the first three pages and
36 \$1.00 per page thereafter may be added to cover the administrative
37 costs of the report. Upon request, a police department shall send an
38 accident report to a person through the mail or via fax as defined in
39 section 2 of P.L.1976, c.23 (C.19:59-2). The police department
40 may require the person requesting the report to provide a completed
41 request form and the appropriate fee prior to faxing or mailing 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.

Matter underlined thus is new matter.

1 report. The police department shall provide the person requesting
2 the report with the option of submitting the form and providing the
3 appropriate fee either in person, through the mail, or via fax as
4 defined in section 2 of P.L.1976, c.23 (C.19:59-2).

5 The provisions of any other law or regulation to the contrary
6 notwithstanding, reports obtained pursuant to this act shall not be
7 subject to confidentiality requirements except as provided by
8 section 28 of P.L.1960, c.52 (C.2A:84A-28).

9 When a motor vehicle accident results in the death or
10 incapacitation of the driver or any passenger, the law enforcement
11 officer responsible for notifying the next of kin that their relative is
12 deceased or incapacitated, also shall inform the relative, in writing,
13 how to obtain a copy of the accident report required by this section
14 and the name, address, and telephone number of the person storing
15 the motor vehicle pursuant to section 1 of P.L.1964, c.81
16 (C.39:10A-1).

17 (cf: P.L.2007, c.20, s.1)

18

19 2. Section 1 of P.L.1964, c.81 (C.39:10A-1) is amended to read
20 as follows:

21 1. a. When the State or any county, county park commission,
22 municipality or any authority created by any thereof, hereinafter
23 referred to as a "public agency," shall have taken possession of a
24 motor vehicle found abandoned, such taking of possession shall be
25 reported immediately to (1) the Chief Administrator of the Motor
26 Vehicle Commission on a form prescribed by the administrator, for
27 verification of ownership and (2) the National Insurance Crime
28 Bureau.

29 (3) Upon receipt of verification of ownership of the vehicle from
30 the administrator, the public agency shall within three business days
31 provide notice of possession of the vehicle to the owner of record
32 and the holder of any security interest filed with the administrator
33 by telephone, mail, facsimile or electronically. The public agency
34 may assess the person claiming the vehicle, be it the owner of
35 record or the holder of any security interest, for the actual costs of
36 providing the notice required under this paragraph.

37 (4) The public agency shall also within three business days
38 notify the person storing the abandoned motor vehicle. The notice
39 shall be given in the same manner as in the case of notification of
40 the owner of record and the security interest holder and shall
41 include the name and address of the owner of record and the holder
42 of any security interest in the stored motor vehicle.

43 (5) Upon receipt of **[that]** the notice required by paragraph (4) of
44 this subsection, the person storing the abandoned motor vehicle
45 shall provide notice to the owner of record and to any security
46 interest holder.

1 (a) The notice shall be by first class mail, with a certificate of
2 mailing, and shall include a schedule of the costs imposed for
3 storing the motor vehicle and instructions explaining how the owner
4 of record or the security interest holder may claim the stored motor
5 vehicle.

6 **[If]** (b) Except as provided in subparagraph (c) of this
7 paragraph, if the person storing the motor vehicle fails to provide
8 this notice to the owner of record and to the security interest holder
9 within 30 days of the date on which the storer of the vehicle
10 received the notice required under **[this]** paragraph (4) from the
11 public agency, the maximum amount that person may charge the
12 owner of record or the security interest holder for storing that motor
13 vehicle shall be \$750, provided that the owner of record or security
14 interest holder submits a proper claim for the vehicle not later than
15 the 30th day following the date the notice is delivered from the
16 public agency to the person storing the motor vehicle.

17 (c) When a vehicle is abandoned due to the death or
18 incapacitation of the driver or any passenger, the person storing the
19 vehicle shall charge the owner of record or the security interest
20 holder no more than \$100 for the first 72 hours after the vehicle is
21 placed on the premises.

22 (d) If the owner of record or security interest holder fails to
23 submit a proper claim for the vehicle on or before that 30th day, the
24 person storing the motor vehicle may charge the security interest
25 holder reasonable costs for the removal and storage of the motor
26 vehicle. If the notice is properly provided by the person storing the
27 motor vehicle, that person may charge the owner of record or the
28 security interest holder reasonable costs for the removal and storage
29 of the motor vehicle from the date the person removed and stored
30 the motor vehicle.

31 (e) The public agency may assess the person storing the
32 abandoned motor vehicle, and the person storing the abandoned
33 motor vehicle may assess the security interest holder, for the actual
34 costs of providing the notices required under **[this paragraph]**
35 paragraphs 4 and 5 of this subsection.

36 b. When such motor vehicle which has been ascertained not to
37 be stolen and to be one which can be certified for a junk title
38 certificate under section 3 of P.L.1964, c.81 (C.39:10A-3) shall
39 have remained unclaimed by the owner or other person having a
40 legal right thereto for a period of 15 business days, even if at that
41 time the owner has not been identified as a result of efforts to make
42 identification by the public agency or the Motor Vehicle
43 Commission, the same may be sold at auction in a public place. If
44 the certified motor vehicle is sold at auction prior to identification
45 of the owner, the public agency shall document the condition of the
46 motor vehicle in writing and with photographs prior to the sale;
47 document the amount obtained from the sale of the motor vehicle;

1 and notify the owner, if his name and address are identified after the
2 sale, of the actions taken by the public agency to dispose of the
3 motor vehicle.

4 c. When a motor vehicle which cannot be certified for a junk
5 title certificate under section 3 of P.L.1964, c.81 (C.39:10A-3)
6 remains unclaimed by the owner or other person having a legal right
7 thereto for a period of 20 business days, the motor vehicle may be
8 sold at auction in a public place, but shall be sold no later than 90
9 business days after the public agency takes possession of the
10 vehicle, except that a waiver of the 90-day limit may be obtained
11 for good cause from the Division of Local Government Services in
12 the Department of Community Affairs.

13 d. The public agency shall give notice of a sale conducted
14 pursuant to subsection b. or c. of this section, by certified mail, to
15 the owner, if his name and address be known and to the holder of
16 any security interest filed with the administrator, and by publication
17 in a form to be prescribed by the administrator by one insertion, at
18 least five days before the date of the sale, in one or more
19 newspapers published in this State and circulating in the
20 municipality in which such motor vehicle is held.
21 (cf: P.L.2006, c.91, s.1)

22
23 3. This act shall take effect on the first day of the fourth month
24 following enactment.

25
26
27 _____
28
29 Daniel Mackay's Law; requires certain information be given to
30 next of kin of relatives killed or incapacitated in motor vehicle
31 accident; caps certain abandoned vehicle storage fees.

ASSEMBLY, No. 1498

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

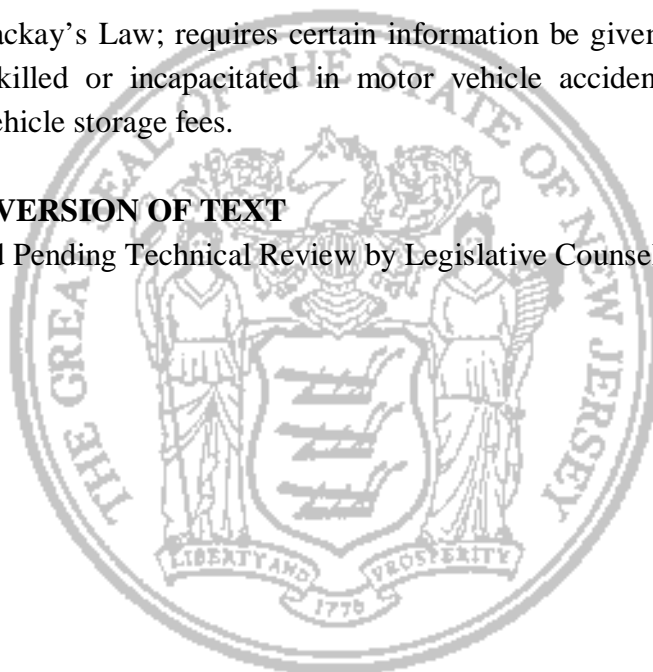
**Assemblymen Gusciora, Giblin, P. Barnes, III, Vas, Prieto, Green,
Assemblywomen Vainieri Huttel, Lampitt, Oliver, Assemblymen Moriarty,
Connors, Conaway and Assemblywoman Evans**

SYNOPSIS

Daniel Mackay's Law; requires certain information be given to next of kin of relatives killed or incapacitated in motor vehicle accident; caps certain abandoned vehicle storage fees.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 1/25/2008)

A1498 BURZICHELLI, FISHER

2

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19 **[director]** chief administrator may require.

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7 When a motor vehicle accident results in the death or
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9 officer responsible for notifying the next of kin that their relative is
10 deceased or incapacitated, also shall inform the relative, in writing,
11 how to obtain a copy of the accident report required by this section
12 and the name, address, and telephone number of the person storing
13 the motor vehicle pursuant to section 1 of P.L.1964, c.81
14 (C.39:10A-1).

15 (cf: P.L.2007, c.20, s.1)

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26 Bureau.

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6 within 30 days of the date on which the storer of the vehicle
7 received the notice required under **【this】** paragraph (4) from the
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11 interest holder submits a proper claim for the vehicle not later than
12 the 30th day following the date the notice is delivered from the
13 public agency to the person storing the motor vehicle.

14 (c) When a vehicle is abandoned due to the death or
15 incapacitation of the driver or any passenger, the person storing the
16 vehicle shall charge the owner of record or the security interest
17 holder no more than \$100 for the first 72 hours after the vehicle is
18 placed on the premises.

19 (d) If the owner of record or security interest holder fails to
20 submit a proper claim for the vehicle on or before that 30th day, the
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28 (e) The public agency may assess the person storing the
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31 costs of providing the notices required under **【this paragraph】**
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33 b. When such motor vehicle which has been ascertained not to
34 be stolen and to be one which can be certified for a junk title
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36 have remained unclaimed by the owner or other person having a
37 legal right thereto for a period of 15 business days, even if at that
38 time the owner has not been identified as a result of efforts to make
39 identification by the public agency or the Motor Vehicle
40 Commission, the same may be sold at auction in a public place. If
41 the certified motor vehicle is sold at auction prior to identification
42 of the owner, the public agency shall document the condition of the
43 motor vehicle in writing and with photographs prior to the sale;
44 document the amount obtained from the sale of the motor vehicle;
45 and notify the owner, if his name and address are identified after the
46 sale, of the actions taken by the public agency to dispose of the
47 motor vehicle.

1 c. When a motor vehicle which cannot be certified for a junk
2 title certificate under section 3 of P.L.1964, c.81 (C.39:10A-3)
3 remains unclaimed by the owner or other person having a legal right
4 thereto for a period of 20 business days, the motor vehicle may be
5 sold at auction in a public place, but shall be sold no later than 90
6 business days after the public agency takes possession of the
7 vehicle, except that a waiver of the 90-day limit may be obtained
8 for good cause from the Division of Local Government Services in
9 the Department of Community Affairs.

10 d. The public agency shall give notice of a sale conducted
11 pursuant to subsection b. or c. of this section, by certified mail, to
12 the owner, if his name and address be known and to the holder of
13 any security interest filed with the administrator, and by publication
14 in a form to be prescribed by the administrator by one insertion, at
15 least five days before the date of the sale, in one or more
16 newspapers published in this State and circulating in the
17 municipality in which such motor vehicle is held.

18 (cf: P.L.2006, c.91, s.1)

19

20 3. This act shall take effect on the first day of the fourth month
21 following enactment.

22

23

24

STATEMENT

25

26 This bill requires police departments to mail or fax accident
27 reports, if requested, and allows them to collect appropriate fees
28 prior to doing so.

29 The bill also requires law enforcement officers responsible for
30 notifying next of kin that a relative has been killed or incapacitated
31 in a motor vehicle accident to also provide that relative with written
32 information concerning how to obtain a copy of the accident report
33 and the name, address, and telephone number of the towing
34 company that is storing the motor vehicle. In addition, the bill
35 specifies that the person storing the motor vehicle may charge the
36 owner no more than \$100 to store the vehicle during the first 72
37 hours after the accident.

38 Under current law, a public agency that takes possession of an
39 abandoned vehicle must immediately notify the Motor Vehicle
40 Commission (MVC). Once the MVC provides the public agency
41 with ownership information, the public agency has three business
42 days to notify that owner that it possesses the vehicle. The public
43 agency also has three days to give the ownership information to the
44 person storing the vehicle. After the person storing the vehicle
45 receives the ownership information from the agency, the person
46 storing the vehicle must notify the owner within 30 days. If this
47 notification is not provided within that 30 days, the person storing

A1498 BURZICHELLI, FISHER

6

1 the vehicle may only charge \$750 storage fees. Under the bill, the
2 person storing a vehicle which was abandoned due to the driver's or
3 a passenger's incapacitation or death would be limited to charging
4 up to \$100 for storage for the first 72 hours after the accident.

5 This bill is to be named the Daniel Mackay Law in honor of
6 Daniel Mackay who was tragically killed in a motor vehicle
7 accident.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1498

STATE OF NEW JERSEY

DATED: JANUARY 24, 2008

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1498.

Assembly Bill No. 1498 requires law enforcement officers responsible for notifying next of kin that a relative has been killed or incapacitated in a motor vehicle accident to also provide that relative with written information concerning how to obtain a copy of the accident report and the name, address, and telephone number of the towing company that is storing the motor vehicle.

The bill also specifies that the person storing the motor vehicle may charge the owner no more than \$100 to store the vehicle during the first 72 hours after the accident.

Under current law, a public agency must immediately notify the Motor Vehicle Commission (MVC) when it takes possession of an abandoned vehicle. Once the MVC provides the public agency with ownership information, the public agency has three business days to notify the owner that it possesses the vehicle. The public agency also has three days to give the ownership information to the person storing the vehicle. After the person storing the vehicle receives the ownership information from the agency, the person storing the vehicle must notify the owner within 30 days. If this notification is not provided within that 30 days, the person storing the vehicle may only charge \$750 storage fees. Under the bill, the person storing a vehicle which was abandoned due to the driver's or a passenger's incapacitation or death would be limited to charging up to \$100 for storage for the first 72 hours after the accident.

Section 1 of the bill also includes technical amendments to R.S.39:4-131 that conform it to the provisions of P.L.2007, c.20, which require police departments to mail or fax requested accident reports.

This bill is to be named the Daniel Mackay Law in honor of Daniel Mackay who was tragically killed in a motor vehicle accident.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1498

STATE OF NEW JERSEY

DATED: OCTOBER 2, 2008

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Assembly Bill No. 1498.

This bill requires law enforcement officers responsible for notifying next of kin that a relative has been killed or incapacitated in a motor vehicle accident to also provide that relative with written information concerning how to obtain a copy of the accident report and the name, address, and telephone number of the towing company that is storing the motor vehicle.

The bill also specifies that the person storing the motor vehicle may charge the owner no more than \$100 to store the vehicle during the first 72 hours after the accident.

Under current law, a public agency must immediately notify the Motor Vehicle Commission (MVC) when it takes possession of an abandoned vehicle. Once the MVC provides the public agency with ownership information, the public agency has three business days to notify the owner that it possesses the vehicle. The public agency also has three days to give the ownership information to the person storing the vehicle. After the person storing the vehicle receives the ownership information from the agency, the person storing the vehicle must notify the owner within 30 days. If this notification is not provided within that 30 days, the person storing the vehicle may only charge \$750 storage fees. Under the bill, the person storing a vehicle which was abandoned due to the driver's or a passenger's incapacitation or death would be limited to charging up to \$100 for storage for the first 72 hours after the accident.

This bill is to be named the Daniel Mackay Law in honor of Daniel Mackay who was tragically killed in a motor vehicle accident.

As reported by the committee, this bill is identical to Senate Bill No. 564, also reported by the committee on this same date.

SENATE, No. 564

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Daniel Mackay's Law; requires certain information be given to next of kin of relatives killed or incapacitated in motor vehicle accident; caps certain abandoned vehicle storage fees.

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Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 10/3/2008)

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Matter underlined thus is new matter.

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2 and the name, address, and telephone number of the person storing
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4 (C.39:10A-1).

5 (cf: P.L.2001, c.161, s.2)

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7 2. Section 1 of P.L.1964, c.81 (C.39:10A-1) is amended to read
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26 notify the person storing the abandoned motor vehicle. The notice
27 shall be given in the same manner as in the case of notification of
28 the owner of record and the security interest holder and shall
29 include the name and address of the owner of record and the holder
30 of any security interest in the stored motor vehicle.

31 (5) Upon receipt of **[that]** the notice required by paragraph (4) of
32 this subsection, the person storing the abandoned motor vehicle
33 shall provide notice to the owner of record and to any security
34 interest holder.

35 (a) The notice shall be by first class mail, with a certificate of
36 mailing, and shall include a schedule of the costs imposed for
37 storing the motor vehicle and instructions explaining how the owner
38 of record or the security interest holder may claim the stored motor
39 vehicle.

40 **[If]** (b) Except as provided in subparagraph (c) of this
41 paragraph, if the person storing the motor vehicle fails to provide
42 this notice to the owner of record and to the security interest holder
43 within 30 days of the date on which the storer of the vehicle
44 received the notice required under **[this]** paragraph (4) from the
45 public agency, the maximum amount that person may charge the
46 owner of record or the security interest holder for storing that motor
47 vehicle shall be \$750, provided that the owner of record or security

1 interest holder submits a proper claim for the vehicle not later than
2 the 30th day following the date the notice is delivered from the
3 public agency to the person storing the motor vehicle.

4 (c) When a vehicle is abandoned due to the death or
5 incapacitation of the driver or any passenger, the person storing the
6 vehicle shall charge the owner of record or the security interest
7 holder no more than \$100 for the first 72 hours after the vehicle is
8 placed on the premises.

9 (d) If the owner of record or security interest holder fails to
10 submit a proper claim for the vehicle on or before that 30th day, the
11 person storing the motor vehicle may charge the security interest
12 holder reasonable costs for the removal and storage of the motor
13 vehicle. If the notice is properly provided by the person storing the
14 motor vehicle, that person may charge the owner of record or the
15 security interest holder reasonable costs for the removal and storage
16 of the motor vehicle from the date the person removed and stored
17 the motor vehicle.

18 (e) The public agency may assess the person storing the
19 abandoned motor vehicle, and the person storing the abandoned
20 motor vehicle may assess the security interest holder, for the actual
21 costs of providing the notices required under **[this paragraph]**
22 paragraphs 4 and 5 of this subsection.

23 b. When such motor vehicle which has been ascertained not to
24 be stolen and to be one which can be certified for a junk title
25 certificate under section 3 of P.L.1964, c.81 (C.39:10A-3) shall
26 have remained unclaimed by the owner or other person having a
27 legal right thereto for a period of 15 business days, even if at that
28 time the owner has not been identified as a result of efforts to make
29 identification by the public agency or the Motor Vehicle
30 Commission, the same may be sold at auction in a public place. If
31 the certified motor vehicle is sold at auction prior to identification
32 of the owner, the public agency shall document the condition of the
33 motor vehicle in writing and with photographs prior to the sale;
34 document the amount obtained from the sale of the motor vehicle;
35 and notify the owner, if his name and address are identified after the
36 sale, of the actions taken by the public agency to dispose of the
37 motor vehicle.

38 c. When a motor vehicle which cannot be certified for a junk
39 title certificate under section 3 of P.L.1964, c.81 (C.39:10A-3)
40 remains unclaimed by the owner or other person having a legal right
41 thereto for a period of 20 business days, the motor vehicle may be
42 sold at auction in a public place, but shall be sold no later than 90
43 business days after the public agency takes possession of the
44 vehicle, except that a waiver of the 90-day limit may be obtained
45 for good cause from the Division of Local Government Services in
46 the Department of Community Affairs.

1 d. The public agency shall give notice of a sale conducted
2 pursuant to subsection b. or c. of this section, by certified mail, to
3 the owner, if his name and address be known and to the holder of
4 any security interest filed with the administrator, and by publication
5 in a form to be prescribed by the administrator by one insertion, at
6 least five days before the date of the sale, in one or more
7 newspapers published in this State and circulating in the
8 municipality in which such motor vehicle is held.
9 (cf: P.L.2006, c.91, s.1)

10

11 3. This act shall take effect on the first day of the fourth month
12 following enactment.

13

14

15

STATEMENT

16

17 This bill would require law enforcement officers responsible for
18 notifying next of kin that a relative has been killed or incapacitated
19 in a motor vehicle accident to also provide that relative with written
20 information concerning how to obtain a copy of the accident report
21 and the name, address, and telephone number of the towing
22 company that is storing the motor vehicle. The bill also specifies
23 that the person storing the motor vehicle may charge the owner no
24 more than \$100 to store the vehicle during the first 72 hours after
25 the accident.

26 Under current law, a public agency that takes possession of an
27 abandoned vehicle must immediately notify the Motor Vehicle
28 Commission (MVC). Once the MVC provides the public agency
29 with ownership information, the public agency has three business
30 days to notify that owner that it possesses the vehicle. The public
31 agency also has three days to give the ownership information to the
32 person storing the vehicle. After the person storing the vehicle
33 receives the ownership information from the agency, the person
34 storing the vehicle must notify the owner within 30 days. If this
35 notification is not provided within that 30 days, the person storing
36 the vehicle may only charge \$750 storage fees. Under the bill, the
37 person storing a vehicle which was abandoned due to the driver's or
38 a passenger's incapacitation or death would be limited to charging
39 up to \$100 for storage for the first 72 hours after the accident.

40 This bill is to be named the Daniel Mackay Law in honor of
41 Daniel Mackay who was tragically killed in a motor vehicle
42 accident.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 564

STATE OF NEW JERSEY

DATED: OCTOBER 2, 2008

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 564.

This bill requires law enforcement officers responsible for notifying next of kin that a relative has been killed or incapacitated in a motor vehicle accident to also provide that relative with written information concerning how to obtain a copy of the accident report and the name, address, and telephone number of the towing company that is storing the motor vehicle.

The bill also specifies that the person storing the motor vehicle may charge the owner no more than \$100 to store the vehicle during the first 72 hours after the accident.

Under current law, a public agency must immediately notify the Motor Vehicle Commission (MVC) when it takes possession of an abandoned vehicle. Once the MVC provides the public agency with ownership information, the public agency has three business days to notify the owner that it possesses the vehicle. The public agency also has three days to give the ownership information to the person storing the vehicle. After the person storing the vehicle receives the ownership information from the agency, the person storing the vehicle must notify the owner within 30 days. If this notification is not provided within that 30 days, the person storing the vehicle may only charge \$750 storage fees. Under the bill, the person storing a vehicle which was abandoned due to the driver's or a passenger's incapacitation or death would be limited to charging up to \$100 for storage for the first 72 hours after the accident.

This bill is to be named the Daniel Mackay Law in honor of Daniel Mackay who was tragically killed in a motor vehicle accident.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As reported by the committee, this bill is identical to Assembly Bill No. 1498, also reported by the committee on this same date.