



P.L. 1999, CHAPTER 397, *approved January 18, 2000*  
Senate Committee Substitute (*First Reprint*) for  
Senate, No. 1622

1 AN ACT concerning <sup>1</sup>[parking]motor vehicle<sup>1</sup> offenses, and amending  
2 P.L.1985, c.14 <sup>1</sup>and P.L.1981, c.365<sup>1</sup>.

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

6  
7 1. Section 9 of P.L. 1985, c.14 (C.39:4-139.10) is amended to  
8 read as follows:

9 <sup>1</sup>[6.] 9.<sup>1</sup> a. If a person has failed to respond to a failure to appear  
10 notice or has failed to pay a parking judgment, the municipal court  
11 may give notice of that fact to the division in a manner prescribed by  
12 the director. If notice has been given under this section of a person's  
13 failure to respond to a failure to appear notice or to pay a parking  
14 judgment and if the fines and penalties are paid or if the case is  
15 dismissed or otherwise disposed of, the municipal court shall promptly  
16 give notice to that effect to the division.

17 b. The judge or the division may suspend the driver's license of an  
18 owner, lessee, or operator who has not answered or appeared in  
19 response to a failure to appear notice or has not paid or otherwise  
20 satisfied outstanding parking fines or penalties. <sup>1</sup>[ Prior to suspension  
21 of the driver's license by the judge or the division, the owner, lessee  
22 or operator shall be permitted to appear before the judge and request  
23 a payment schedule for a period of not more than one year.] If an  
24 owner, lessee or operator has been found guilty of a parking offense,  
25 the court shall provide notice and an opportunity to appear before a  
26 judge prior to suspending that person's driver's license. If the owner,  
27 lessee or operator is found by the court to be indigent or is  
28 participating in a government-based income maintenance program, that  
29 person shall be permitted to pay the parking fine and other penalties  
30 in installments in accordance with section 1 of P.L.1981, c.365  
31 (C.39:4-203.1).<sup>1</sup>

32 c. The division shall keep a record of a suspension ordered by the  
33 court pursuant to subsection b. of this section.  
34 (cf: P.L.1985, c.14, s.9)

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36 <sup>1</sup>2. Section 1 of P.L.1981, c.365 (C.39:4-203.1) is amended to  
37 read as follows:

38 1. Any defendant convicted of a traffic offense [, other than a  
39 parking offense,] pursuant to Title 39 of the Revised Statutes or a

**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:**

<sup>1</sup> Assembly floor amendments adopted December 9, 1999.

1 parking offense, shall, upon a satisfactory showing of a condition of  
2 indigency or participation in a government-based income maintenance  
3 program, be permitted by the court to pay the fine in installments.  
4 The court shall set the amount and frequency of each installment,  
5 except that the final installment shall be due no later than ~~[6]~~ 12  
6 months from the date of conviction.<sup>1</sup>

7 (cf: P.L.1981, c.365, s.1)

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9 <sup>1</sup>~~[2.]~~ 3.<sup>1</sup> This act shall take effect on the 180th day after  
10 enactment, but the Director of the Division of Motor Vehicles may  
11 take such anticipatory administrative action in advance as shall be  
12 necessary for the implementation of the act.

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18 Permits payment of parking and traffic fines in installments over 12  
months.

**SENATE, No. 1622**

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

INTRODUCED JANUARY 7, 1999

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

**SYNOPSIS**

Requires persons to settle certain outstanding motor vehicle judgments prior to driver's license renewal.

**CURRENT VERSION OF TEXT**

As introduced.



S1622 RICE

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1 AN ACT concerning outstanding parking judgments and certain motor  
2 vehicle judgments and supplementing Chapter 10 of Title 39 of the  
3 Revised Statutes.

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

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8 1. a. The director, in accordance with the "Administrative  
9 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall  
10 promulgate rules and regulations that provide for the written  
11 notification of persons, at least 90 days prior to expiration of their  
12 driver's licenses, if they have outstanding judgments on their driving  
13 records for parking or any other motor vehicle violations which do not  
14 result in penalty points pursuant to section 1 of P.L.1982, c.43  
15 (C.39:5-30.5), except for those violations pursuant to R.S.39:4-50 or  
16 section 2 of P.L.1981, c.512 (C.39:4-50.4a). The notification shall  
17 state that the person's driver's license will be suspended if the  
18 outstanding judgment is not resolved prior to the license renewal date.  
19 If the director does not receive satisfactory proof prior to the license  
20 renewal date that the judgment has been resolved, the person's driver's  
21 license shall not be renewed and shall be suspended until this proof is  
22 provided. If the judgment is paid or the case is dismissed or otherwise  
23 disposed of, the municipal court shall promptly give notice to that  
24 effect to the division.

25 b. Notwithstanding P.L.1985, c.14 (C.39:4-139.2 et seq.) or any  
26 other law to the contrary, a person's driver's license shall only be  
27 suspended or revoked pursuant to subsection a. of this section for an  
28 outstanding judgment for a violation of P.L.1985, c.14 (C.39:4-139.2  
29 et seq.) or any other motor vehicle violation for which points are not  
30 assessed pursuant to section 1 of P.L. 1982, c.43 (C.39:5-30.5). This  
31 subsection shall not apply to a driver's license suspension or revocation  
32 pursuant to R.S.39:4-50 or section 2 of P.L.1981, c.512 (C.39:4-  
33 50.4a).

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35 2. This act shall take effect on the 180th day after enactment, but  
36 the Director of the Division of Motor Vehicles may take such  
37 anticipatory administrative action in advance as shall be necessary for  
38 the implementation of the act.

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STATEMENT

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43 This bill would streamline the license suspension process for  
44 persons with outstanding judgments for parking and certain other  
45 nonmoving motor vehicle violations and ensure that persons receive

**S1622 RICE**

1 ample notice of pending suspensions. It requires the Director of the  
2 Division of Motor Vehicles (DMV) in the Department of  
3 Transportation to notify persons before the expiration of their driver's  
4 licenses if they have outstanding judgments for parking or other motor  
5 vehicle violations for which penalty points are not imposed. The  
6 person's driver's license would be suspended unless these outstanding  
7 judgments are resolved prior to the renewal of the person's license.  
8 The bill also would supersede other sections of law dealing with these  
9 suspensions. However, this bill would not apply to driver's license  
10 suspensions imposed for drunk driving or for refusal to submit to a  
11 breathalyser test.

12 Under current law, some individuals have had their licenses  
13 suspended for motor vehicle violations without receiving proper  
14 notification. This bill would provide individuals with added time to  
15 resolve violations and ensure that these persons are notified of  
16 unresolved judgments on their DMV records.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 1622**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 1999

The Assembly Judiciary Committee reports favorably Senate Bill No. 1622 (SCS).

This bill amends section 9 of P.L.1985, c.14 (C.39:4-139.10) to permit the owner, lessee or operator of a motor vehicle to appear before the judge and request a payment plan for a period of not more than one year prior to having his or her driver's license suspended under "The Parking Offenses Adjudication Act."

Under current law, the judge or the division may suspend the driver's license of an owner, lessee or operator who has not answered or appeared in response to a failure to appear notice or has not paid or otherwise satisfied outstanding parking fines or penalties.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 1622**

**STATE OF NEW JERSEY**

DATED: MAY 20, 1999

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No. 1622.

This committee substitute amends Section 9 of P.L.1985, c.14 (C.39:4-139.10) to permit the owner, lessee or operator of a motor vehicle to appear before the judge and request a payment plan prior to having his or her driver's license suspended under "The Parking Offenses Adjudication Act."

Under current law, the judge or the division may suspend the driver's license of an owner, lessee or operator who has not answered or appeared in response to a failure to appear notice or has not paid or otherwise satisfied outstanding parking fines or penalties.



STATEMENT TO  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 1622**

with Assembly Floor Amendments  
(Proposed By Assemblyman STANLEY)

ADOPTED: DECEMBER 9, 1999

The Senate Committee Substitute for Senate Bill No. 1622 would require the court to notify a person who has been found guilty of a parking offense, prior to suspension of the person's driver's license, and provide the person with an opportunity to appear before a judge and request a payment schedule for a period of not more than one year.

These Assembly floor amendments would permit such a person to pay the parking fine and other penalties in installments over 12 months only if he is found by the court to be indigent or participating in a government-based income maintenance program.

The amendments also would extend from six to 12 months the installment period over which such persons may pay other motor vehicle penalties.

## FISCAL NOTE

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1622**

# **STATE OF NEW JERSEY**

## **208th LEGISLATURE**

DATED: NOVEMBER 5, 1999

Senate Committee Substitute for Senate Bill No. 1622 of 1999 would amend existing law to permit the owner, lessee or operator of a motor vehicle to appear before a judge and request a payment plan prior to having a driver's license suspended under "The Parking Offenses Adjudication Act."

Since this substitute bill would propose a method of paying a fine in-lieu-of license suspension, the State should benefit. However, the amount of the potential additional revenue is unknown. Overall, the Department of Transportation does not anticipate any new cost related to this proposal.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.