

39:4-131

4/8/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:4-131 (Motor vehicle accident reports-- seat belts-- use-- police officer must note)

CHAPTER 26

Laws Of: 1987

Bill No: A107

Sponsor(s): Brown

Date Introduced: Pre-filed

Committee: Assembly: Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: February 20, 1987

Senate: December 15, 1986

Date of Approval: January 27, 1987

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill requires law enforcement officers to note on the motor vehicle accident reports they prepare if the front seat passengers in the vehicles involved in the accident were wearing seat belts in compliance with P.L. 1984 c. 179 (C. 39:3-76.2e et seq.)

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ASSEMBLY, No. 107**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman BROWN.

AN ACT concerning motor vehicle accident reports and amending
R. S. 39:4-131.

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

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

2 39:4-131. The division shall prepare and supply to police de-
3 partments and other suitable agencies, forms for accident reports
4 calling for sufficiently detailed information with reference to a
5 motor vehicle accident, including the cause, the conditions then
6 existing, the persons and vehicles involved, *the compliance with*
7 *P. L. 1984, c. 179 (C. 39:3-76.2e et seq.) by the operators and*
8 *passengers of the vehicles involved in the accident*, and such in-
9 formation as the director may require.

10 Every law enforcement officer who investigates a vehicle accident
11 of which report must be made as required in this Title, or who
12 otherwise prepares a written report as a result of an accident or
13 thereafter by interviewing the participants or witnesses, shall for-
14 ward a written report of such accident to the division, on forms
15 furnished by it, within five days after his investigation of the
16 accident.

17 Such written reports required to be forwarded by law enforce-
18 ment officers and the information contained therein shall not be
19 privileged or held confidential. Every citizen of this State shall
20 have the right, during regular business hours and under super-
21 vision, to inspect and copy such reports and shall also have the
22 right in person to purchase copies of the reports at the same fee
23 established by section 2 of P. L. 1963, c. 73 (C. 47:1A-2). If copies

**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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendment adopted February 3, 1986.**

24 of reports are requested other than in person, an additional fee of
25 up to \$5.00 for the first three pages and \$1.00 per page thereafter
26 may be added to cover the administrative costs of the report.

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

1 2. This act shall take effect ***[immediately]*** *on the 180th day*
2 *after enactment.**

MOTOR VEHICLE OFFENSES

Requires law enforcement officers to note on accident reports if
passengers were wearing seat belts.

ASSEMBLY, No. 107

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION
By Assemblyman BROWN

ASSEMBLY, No. 3124

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1985

By Assemblymen BROWN and PELLY

AN ACT concerning motor vehicle accident reports and amending
R. S. 39:4-131.

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

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

2 39:4-131. The division shall prepare and supply to police de-
3 partments and other suitable agencies, forms for accident reports
4 calling for sufficiently detailed information with reference to a
5 motor vehicle accident, including the cause, the conditions then
6 existing, the persons and vehicles involved, *the compliance with*
7 *P. L. 1984, c. 179 (C. 39:3-76.2c et seq.) by the operators and*
8 *passengers of the vehicles involved in the accident, and such in-*
9 formation as the director may require.

10 Every law enforcement officer who investigates a vehicle accident
11 of which report must be made as required in this Title, or who
12 otherwise prepares a written report as a result of an accident or
13 thereafter by interviewing the participants or witnesses, shall for-
14 ward a written report of such accident to the division, on form
15 furnished by it, within five days after his investigation of the
16 accident.

17 Such written reports required to be forwarded by law enforce-
18 ment officers and the information contained therein shall not be
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21 vision, to inspect and copy such reports and shall also have the
22 right in person to purchase copies of the reports at the same fee
23 established by section 2 of P. L. 1963, c. 73 (C. 47:1A-2). **If copies**

Matter printed in italics thus is new matter.

24 of reports are requested other than in person, an additional fee of
25 up to \$5.00 for the first three pages and \$1.00 per page thereafter
26 may be added to cover the administrative costs of the report.

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

1 2. This act shall take effect immediately.

STATEMENT

This bill requires law enforcement officers to note on the motor vehicle accident reports they prepare if the front seat passengers in the vehicles involved in the accident were wearing seat belts in compliance with P. L. 1984, c. 179 (C. 39:3-76.2a et seq.).

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 107

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee reports favorably Assembly Bill No. 107 with amendments.

As amended by the committee, Assembly Bill No. 107 requires law enforcement officers to note on motor vehicle accident reports if the front seat passengers in the vehicles were wearing seat belts in compliance with the Passenger Automobile Seat Belt Usage Act (P. L. 1984, c. 179; C. 39:3-76.2e et seq.).

The committee amended the bill to delay its implementation for six months.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported with amendments, the bill includes the changes required by technical review which has been performed.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 107

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STATE OF NEW JERSEY

DATED: DECEMBER 8, 1986

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill No. 107 OCR.

This bill requires that law enforcement officers note on motor vehicle accident reports whether or not front seat passengers in vehicles involved in accidents were wearing seat belts in compliance with the "Passenger Automobile Seat Belt Usage Act," P. L. 1984, c. 179 (C. 39:3-76.2e et al.).

A-107, sponsored by Assemblyman Willie Brown, D-Essex, requires the Division of Motor Vehicles to place on accident reports which they forward to all law enforcement agencies, a section where law enforcement agencies shall note compliance with the mandatory seat belt law by the operators and passengers of vehicles involved in that accident.

This legislation codifies a practice of the Division of Motor Vehicles which has requires this information since 1975.

The legislation is effective on the 180th day after enactment.

A-429, sponsored by Assemblyman John Paul Doyle, D-Ocean, which sets forth the circumstances under which the proceeds of a judgment, held in trust by the county surrogate for the benefit of a minor, will be distributed.

The Legislature concurred with Governor Kean's recommended changes in the original legislation which specified, consistent with current practice, that judgment proceeds shall be payable to an individual at the age of 18 except when the courts find such person to be incompetent.

The legislation is effective immediately.

A-1739, sponsored by Assemblyman Frank Pelly, D-Middlesex, creates a disorderly persons offense for the unauthorized sale, purchase, gift or loan of a law enforcement agency badge that is in use or has been in use in New Jersey within the last five years preceding the transfer.

The offense carries a penalty of a fine of up to \$1,000 or a term of imprisonment of no greater than six months or both.

The legislation is effective immediately.