39:3-33
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2023 **CHAPTER:** 49

NJSA: 39:3-33 Allows license plate frame to obscure certain parts of permanent or temporary license plate under certain conditions.

BILL NO: A3494 (Substituted for S2381 (2R))

SPONSOR(S) Dancer, Ronald S. and others

DATE INTRODUCED: 3/8/2022

COMMITTEE: **ASSEMBLY:** Transportation & Independent Authorities

SENATE: --

AMENDED DURING PASSAGE: YES

DATE OF PASSAGE: **ASSEMBLY:** 06/16/2022

SENATE: 03/20/2023

DATE OF APPROVAL: 5/8/2023

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (A3494 Aca (1R) enacted) Yes

A3494

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY**: Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2381 (2R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY**: No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstatelib.org

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Larry Higgs - For The Star-Ledger, 'Gov. signs law on license plate obstructions It decriminalizes having a frame that partly covers "New Jersey" or "Garden State."', *Star-Ledger, The* (online), 10 May 2023 012

CL/JA

CHAPTER 49

AN ACT concerning motor vehicle license plates and amending R.S.39:3-33.

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

1. R.S.39:3-33 is amended to read as follows:

Markers; requirements concerning; display of fictitious or wrong numbers, etc.; punishment.

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

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

A person shall not drive a motor vehicle which has a registration plate frame or holder that conceals or otherwise obscures the name of the State or the registration number furnished by the commission imprinted upon the vehicle's registration plate, or any part of any insert which the commission, as hereinafter provided, issues to be inserted in and attached to that registration plate, or that conceals or otherwise obscures the name of the State, the registration number, or the expiration date on any temporary registration certificate or temporary registration plate issued by the commission. It shall not be a violation of this section and therefore not a basis for a lawful stop if part of the name of the State or the registration number imprinted on a vehicle’s registration plate, or part of an insert issued by the commission inserted in or attached to the registration plate, or part of the name of the State, the registration number, or the expiration date on a temporary registration certificate or temporary registration plate is concealed or otherwise obscured in a way such that the information to which this provision applies can still reasonably be identified or discerned. The Attorney General shall issue such guidance as the Attorney General deems necessary for law enforcement officers to properly interpret and enforce the provisions of this section.

The chief administrator is authorized and empowered to issue registration plate inserts, to be inserted in and attached to the registration plates described herein. They may be issued in the place of new registration plates; and inscribed thereon, in numerals, shall be the year in which registration of the vehicle has been granted.

No person shall drive a motor vehicle the owner of which has not complied with the provisions of this subtitle concerning the proper registration and identification thereof, nor drive a motor vehicle which displays a fictitious number, or a number other than that designated for the motor vehicle in its registration certificate. During the period of time between the application for motor vehicle registration and the receipt of registration plates from the commission, no person shall affix a plate for the purpose of advertisement in the

position on a motor vehicle normally reserved for the display of the registration plates required by this section if the plate is designed with a combination of letters, numbers, colors, or words to resemble the registration plates required by this section.

A person convicted of displaying a fictitious number, as prohibited herein, shall be subject to a fine not exceeding $500 or imprisonment in the county jail for not more than 60 days.

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

2. This act shall take effect on the first day of the second month following enactment.

Approved May 8, 2023.

ASSEMBLY, No. 3494

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 8, 2022

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)
Assemblyman PAUL D. MORIARTY
District 4 (Camden and Gloucester)
Assemblywoman SHAMA A. HAIDER
District 37 (Bergen)

SYNOPSIS

Allows license plate frame to obscure certain parts of permanent or temporary license plate under certain conditions.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/2/2022)

AN ACT concerning motor vehicle license plates and amending R.S.39:3-33.

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

1. R.S.39:3-33 is amended to read as follows:

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

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

[No**]** A person **[**shall**]** may drive a motor vehicle which has a license plate frame or identification marker holder that conceals or otherwise obscures any part of any marking imprinted upon the vehicle's registration plate, or any part of any insert which the **[**director**]** chief administrator, as hereinafter provided, issues to be inserted in and attached to that registration plate or marker, or any part of any temporary registration plate which the chief administrator issues, provided that any part of any marking imprinted upon the vehicle's registration plate or any part of any insert which has been issued by chief administrator or any part of any temporary registration plate issued by the chief administrator is not concealed or obscured in a way that it cannot reasonably be identified or discerned.

The **[**director**]** chief administrator is authorized and empowered to issue registration plate inserts, to be inserted in and attached to

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.

the registration plates or markers described herein. They may be issued in the place of new registration plates or markers; and inscribed thereon, in numerals, shall be the year in which registration of the vehicle has been granted.

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

A person convicted of displaying a fictitious number, as prohibited herein, shall be subject to a fine not exceeding **[**$500.00**]** $500 or imprisonment in the county jail for not more than 60 days.

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

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

2. This act shall take effect on the first day of the second month following enactment.

STATEMENT

This bill provides that a person may operate a motor vehicle with a license plate frame or identification marker holder that conceals or obscures part of any marking imprinted upon the plate or any insert or temporary registration plate issued for the vehicle so long as the marking or insert can still reasonably be identified or discerned.

ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3494

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 2022

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 3494.

As amended and reported, this bill prohibits a person from operating a motor vehicle with a registration plate frame holder that conceals or obscures the name of the State or the registration number imprinted upon the plate, any part of any insert, or the name of the State, the registration number, or the expiration date on any temporary registration plate issued for the vehicle, provided that it is not a violation and not a basis for a lawful stop if the name of the State, registration number, part of any insert to the registration plate, and expiration date can still reasonably be identified or discerned. The bill requires the Attorney General to issue guidance as the Attorney General deems necessary for law enforcement officers to properly interpret and enforce the provisions of the bill.

COMMITTEE AMENDMENTS

The committee amendments provide that a person is prohibited from driving a motor vehicle with a registration plate frame or holder that conceals or otherwise obscures the name of the State, the registration number, any part of any insert, and, in the case of temporary plates, the expiration date. The amendments clarify that it is not a violation and not the basis for a lawful stop if certain information on a registration plate is concealed or otherwise obscured but can still be reasonably identified or discerned.

The amendments require the Attorney General to issue guidance as the Attorney General deems necessary for law enforcement officers to properly interpret and enforce the provisions of the bill. The amendments also remove references to the term "identification mark," "marker," and "license plate" in R.S.39:3-33 and replace those references with the term "registration plate." Under the bill, the term "registration plate" refers to the physical plate that is issued to drivers by the New Jersey Motor Vehicle Commission.

SENATE, No. 2381

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 24, 2022

Sponsored by:
Senator PATRICK J. DIEGNAN, JR.
District 18 (Middlesex)

SYNOPSIS

Allows license plate frame to obscure certain parts of permanent or temporary license plate under certain conditions.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning motor vehicle license plates and amending R.S.39:3-33.

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

1. R.S.39:3-33 is amended to read as follows:

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

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

[No**]** A person **[**shall**]** may drive a motor vehicle which has a license plate frame or identification marker holder that conceals or otherwise obscures any part of any marking imprinted upon the vehicle's registration plate, or any part of any insert which the **[**director**]** chief administrator, as hereinafter provided, issues to be inserted in and attached to that registration plate or marker, or any part of any temporary registration plate which the chief administrator issues, provided that any part of any marking imprinted upon the vehicle's registration plate or any part of any insert which has been issued by chief administrator or any part of any temporary registration plate issued by the chief administrator is not concealed or obscured in a way that it cannot reasonably be identified or discerned.

The **[**director**]** chief administrator is authorized and empowered to issue registration plate inserts, to be inserted in and attached to

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.

the registration plates or markers described herein. They may be issued in the place of new registration plates or markers; and inscribed thereon, in numerals, shall be the year in which registration of the vehicle has been granted.

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

A person convicted of displaying a fictitious number, as prohibited herein, shall be subject to a fine not exceeding **[**$500.00**]** $500 or imprisonment in the county jail for not more than 60 days.

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

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

2. This act shall take effect on the first day of the second month following enactment.

STATEMENT

This bill provides that a person may operate a motor vehicle with a license plate frame or identification marker holder that conceals or obscures part of any marking imprinted upon the plate or any insert or temporary registration plate issued for the vehicle so long as the marking or insert can still reasonably be identified or discerned.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2381

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2022

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 2381.

As amended and reported, this bill provides that a person may operate a motor vehicle with a license plate frame or identification marker holder that conceals or obscures part of any marking imprinted upon the plate or any insert or temporary registration plate issued for the vehicle so long as the name of the State, any identification marks, and, in the case of temporary license plates, the expiration date can still reasonably be identified or discerned.

The committee amendments to the bill provide that use of license plate frames or identification marker holders is generally prohibited if the frame or holder conceals or obscures certain parts of the license plate or temporary license plate but is not prohibited if the name of the State, any identification marks, and the expiration date, in the case of temporary license plates, can reasonably be identified or discerned.

STATEMENT TO

[First Reprint]
SENATE, No. 2381

with Senate Floor Amendments
(Proposed by Senator DIEGNAN)

ADOPTED: MARCH 20, 2023

These floor amendments provide that it is not a violation of law, and not the basis for a lawful stop, if the following are concealed or otherwise obscured but can still be reasonably identified or discerned: (1) part of the name of the State or registration number on a vehicle's registration plate; (2) part of an insert issued by the New Jersey Motor Vehicle Commission (commission) inserted in or attached to the registration plate; or (3) part of the name of the State, the registration number, or the expiration date on a temporary registration certificate or temporary registration plate.

Prior to this amendment, the bill provided that it was not a violation of law if the following could be reasonably identified or discerned: (1) the name of the State and any identification marks on a vehicle's registration plate; or (2) the name of the State, any identification marks, and the expiration date on a temporary registration certificate or temporary registration plate.

These floor amendments also require the Attorney General to issue guidance as the Attorney General deems necessary for law enforcement officers to properly interpret and enforce the provisions of the bill.

The amendments remove references to the term "identification mark," "marker," and "license plate" in N.J.S.A.39:3-33 and replace those references with the term "registration plate." Under the bill, the term "registration plate" refers to the physical plate that is issued to drivers by the commission.

Governor Murphy Takes Action on Legislation

05/8/2023

TRENTON – Today, Governor Murphy signed the following bills into law:

S-142/A-4341 (Diegnan, Pou/Freiman, Moriarty, Mosquera) - Modernizes business filing statutes to include entity conversion and domestication

S-435/A-392 (Smith, Greenstein/Danielsen) - Authorizes certain local authorities to distribute live recordings of certain public hearings in lieu of transcript requirement

S-660/A-2438 (Oroho, Gopal/Wirths, DeAngelo, Space) - Establishes that "100 percent Disabled Veterans" are not required to submit to MVC certain documentation to renew park privileges

S-1033/A-2682 (Vitale, Ruiz/Mukherji, Benson, McKnight) - Establishes "Alzheimer's and Dementia Care Long-Term Advisory Commission" in DHS

S-2396/A-3810 (Madden, Zwicker/Moen, Mosquera, Danielsen) - Provides for oversight and improvement of administration of unemployment compensation

S-2423/A-3746 (Pou/McKeon, Calabrese) - Allows local government deferred compensation plans to invest in collective investment trusts

A-179/S-752 (Carter, Moen, Sumter/Lagana, Greenstein) - Requires DEP to make certain information regarding water purveyors available on its Internet website

A-1463/S-1810 (Lopez, Speight, McKnight/Ruiz, Singleton) - Clarifies penalties for certain violations of pretrial release; directs prosecutor to provide written notice of release to v

A-1791/S-3306 (DeAngelo, Verrelli, McKnight/Turner, Greenstein) - Establishes “Career and Technical Education Scholar Awards” to annually recognize outstanding career and technical education students

A-3494/S-2381 (Dancer, Moriarty, Haider/Diegnan) - Allows license plate frame to obscure certain parts of permanent or temporary license plate under certain conditions

A-3946/S-340 (Quijano, Calabrese, Carter/Singleton, Turner) - Decouples State tax provisions from federal prohibition on cannabis business deductions

A-4132/S-3426 (Stanley, Jaffer, Atkins/Cruz-Perez, Turner) - Establishes NJ Agricultural Literacy Week

A-4184/S-2827 (Tully/Greenstein, Turner) - Requires DCA to allow hiring of information technology and cybersecurity professionals pursuant to shared service incentive programs

ACS for A-4756/S-3262 (Spearman, Wimberly, Reynolds-Jackson/Burgess, Ruiz) - Requires Division of Children’s System of Care to establish training program for employees of emergency shelters for homeless

A-4836/S-3417 (Speight, Atkins, Wimberly/Greenstein, Stanfield) - Requires Office of Emergency Management to incorporate into State Emergency Operations Plan framework to address cybersecurity incidents

A-4935/S-3335 (Benson, Spearman, Haider/Johnson, Diegnan) - Concerns electronic transmission of crash reports

Governor Murphy conditionally vetoed the following bill:

S-3110/A-4783 (Smith, Codey/McKeon, Kennedy, Chaparro) - **CONDITIONAL** - Requires sellers of real property and landlords to make certain notifications regarding flooding