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P.L. 2003, CHAPTER 170, *approved September 3, 2003*

Senate Substitute for
Senate Committee Substitute for
Senate, No. 2591

1 **AN ACT** concerning motor vehicles and supplementing chapter 40 of
2 Title 2C of the New Jersey Statutes.

3

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

6

7 1. a. No person shall produce and deliver an ignition key or other
8 device designed to operate a lock or locks on a motor vehicle or start
9 a motor vehicle to any person on the basis of a motor vehicle
10 identification number without obtaining and making a record of:

11 (1) proof that the person requesting the ignition key or other
12 device is the owner or lessee of the vehicle, or is a member of the same
13 household as the owner or lessee of the vehicle, and which, at a
14 minimum, shall include one of the following: a valid motor vehicle
15 registration certificate, a valid insurance identification card, a valid
16 insurance policy or a certificate of ownership; and

17 (2) identification of the person requesting the ignition key or other
18 device, which identification shall include a photograph of the person.

19 b. The records made pursuant to the requirements of subsection
20 a. of this section shall be retained for five years.

21 c. Nothing in this act shall be construed to deny a lessor or
22 lienholder lawful access to a motor vehicle.

23 d. A person who violates any provision of this act shall be guilty
24 of a disorderly persons offense, except that notwithstanding the
25 provisions of subsection c. of N.J.S.2C:43-3, a fine of not more than
26 \$2,000 may be imposed.

27

28 2. This act shall take effect immediately.

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STATEMENT

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33 This Senate substitute prohibits the production and delivery of
34 ignition keys or other devices used to open, start or operate a motor
35 vehicle on the basis of the motor vehicle's identification number
36 ("VIN") without 1) proof that the person requesting the ignition key
37 or other device is the owner or lessee of the vehicle or is a member of
38 the same household as the owner or lessee, which proof shall include
39 one of the following: a valid motor vehicle registration certificate, a
40 valid insurance identification card, a valid insurance policy or a
41 certificate of ownership; and 2) photographic identification of the
42 person requesting the ignition key or other device. The substitute
43 requires that this information be kept on file for a period of five years.

1 A person who violates any provision of the substitute would be
2 guilty of a disorderly persons offense. Notwithstanding the provisions
3 of N.J.S.2C:43-3, the person would be subject to a fine of up to
4 \$2,000. In addition, the person may be sentenced to up to six months
5 imprisonment.

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10 Prohibits production of key based on motor vehicle identification
11 number alone without certain identification.

SENATE, No. 2591

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MAY 29, 2003

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Prohibits dealers and locksmiths from reproducing car keys based on motor vehicle identification number alone.

CURRENT VERSION OF TEXT

As introduced.



S2591 BUCCO

2

1 **AN ACT** concerning locksmiths and motor vehicle dealers and
2 supplementing P.L.1997, c.305 (C.45:5A-23 et seq.) and chapter
3 10 of 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. a. No locksmith shall reproduce an ignition key or other device
9 designed to operate a lock or locks on a motor vehicle or start a motor
10 vehicle for any person without first obtaining from that person and
11 making a permanent record of:

12 (1) proper proof of ownership of the vehicle by the person
13 requesting duplication of the key or other device; and

14 (2) proper identification of that person as the owner, pursuant to
15 that proof of ownership, which identification shall include a
16 photograph of the person identifying himself as the owner of the motor
17 vehicle.

18 b. No locksmith shall reproduce an ignition key or other device
19 designed to operate a lock or locks on a motor vehicle or start a motor
20 vehicle for any person solely on the basis of a motor vehicle
21 identification number.

22 c. The board shall take disciplinary action, in accordance with P.L.
23 1978, c.73 (C.45:1-14 et seq.), against a licensee or employee who
24 violates any provision of this section.

25

26 2. a. No dealer shall reproduce an ignition key or other device
27 designed to operate a lock or locks on a motor vehicle or start a motor
28 vehicle for any person without first obtaining from that person and
29 making a permanent record of:

30 (1) proper proof of ownership of the vehicle by the person
31 requesting duplication of the key or other device; and

32 (2) proper identification of that person as the owner, pursuant to
33 that proof of ownership, which identification shall include a
34 photograph of the person identifying himself as the owner of the motor
35 vehicle.

36 b. No dealer shall reproduce an ignition key or other device
37 designed to operate a lock or locks on a motor vehicle or start a motor
38 vehicle for any person solely on the basis of a motor vehicle
39 identification number.

40 c. A dealer or employee who violates any provision of this section
41 shall be guilty of a misdemeanor and punished by a fine of not more
42 than \$2,000 or by imprisonment not exceeding two years, or both, at
43 the court's discretion.

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45 3. This act shall take effect immediately.

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STATEMENT

This bill prohibits motor vehicle dealers and locksmiths from reproducing ignition keys or other devices used to open, start or operate a motor vehicle based simply on the motor vehicle's identification number ("VIN"). It requires the locksmith or dealer to obtain proper proof of ownership of the vehicle by the person requesting duplication of the key or other device and proper photographic identification of that person as the owner, pursuant to that proof of ownership.

A motor vehicle dealer or employee who violates any provision of the bill will be guilty of a misdemeanor and punished by a fine of not more than \$2,000 or by imprisonment not exceeding two years, or both, at the court's discretion. A locksmith or employee violating the bill's provisions will be subject to disciplinary action by the Board of Examiners of Electrical Contractors (under which the "Fire Alarm, Burglar Alarm and Locksmith Advisory Committee operates) in accordance with P.L.1978, c.73 (C.45:1-14 et seq.).

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2591

STATE OF NEW JERSEY

DATED: JUNE 9, 2003

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2591.

This committee substitute prohibits the reproduction of ignition keys or other devices used to open, start or operate a motor vehicle solely on the basis of the motor vehicle's identification number ("VIN") without 1) proper proof of ownership of the vehicle by the person requesting duplication of the key or other device and 2) proper photographic identification of that person as the owner, pursuant to that proof of ownership. The substitute requires that this information be kept on file for a period of five years.

A person who violates any provision of the substitute would be guilty of a disorderly persons offense. Notwithstanding the provisions of N.J.S.2C:43-3, the persons would be subject to a fine of up to \$2,000. In addition, the person may be sentenced to up to six months imprisonment. The substitute also requires the Chief Administrator of the New Jersey Motor Vehicle Commission to retain for five years a record of a violation of the bill's provisions by a motor vehicle dealer or an employee of the dealer.

It is the committee's understanding that the purpose of the committee substitute is to curb the increasing number of vehicle thefts utilizing ignition keys and other devices reproduced from motor vehicle identification numbers.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

SENATE SUBSTITUTE FOR
SENATE, No. 2591

STATE OF NEW JERSEY

DATED: JULY 1, 2003

The Assembly Budget Committee reports favorably Senate Bill No. 2591 (SS).

Senate Bill No. 2591 (SS) prohibits the production and delivery of ignition keys or other devices used to open, start or operate a motor vehicle on the basis of the motor vehicle's identification number ("VIN") without 1) proof that the person requesting the ignition key or other device is the owner or lessee of the vehicle or is a member of the same household as the owner or lessee, which proof shall include one of the following: a valid motor vehicle registration certificate, a valid insurance identification card, a valid insurance policy or a certificate of ownership; and 2) photographic identification of the person requesting the ignition key or other device. The substitute requires that this information be kept on file for a period of five years.

A person who violates any provision of the substitute would be guilty of a disorderly persons offense. Notwithstanding the provisions of N.J.S.2C:43-3, the person would be subject to a fine of up to \$2,000. In addition, the person may be sentenced to up to six months imprisonment.

As reported by the committee this bill is identical to Assembly Bill No. 3684 ACS, as substituted and reported by the committee.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.

ASSEMBLY, No. 3684

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JUNE 5, 2003

Sponsored by:

Assemblyman MICHAEL PATRICK CARROLL

District 25 (Morris)

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

Co-Sponsored by:

Assemblywoman McHose and Assemblyman Gregg

SYNOPSIS

Prohibits dealers and locksmiths from reproducing car keys based on motor vehicle identification number alone.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning locksmiths and motor vehicle dealers and
2 supplementing P.L.1997, c.305 (C.45:5A-23 et seq.) and chapter
3 10 of 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. a. No locksmith shall reproduce an ignition key or other device
9 designed to operate a lock or locks on a motor vehicle or start a motor
10 vehicle for any person without first obtaining from that person and
11 making a permanent record of:

12 (1) proper proof of ownership of the vehicle by the person
13 requesting duplication of the key or other device; and

14 (2) proper identification of that person as the owner, pursuant to
15 that proof of ownership, which identification shall include a
16 photograph of the person identifying himself as the owner of the motor
17 vehicle.

18 b. No locksmith shall reproduce an ignition key or other device
19 designed to operate a lock or locks on a motor vehicle or start a motor
20 vehicle for any person solely on the basis of a motor vehicle
21 identification number.

22 c. The board shall take disciplinary action, in accordance with P.L.
23 1978, c.,73 (C.45:1-14 et seq.), against a licensee or employee who
24 violates any provision of this section.

25

26 2. a. No dealer shall reproduce an ignition key or other device
27 designed to operate a lock or locks on a motor vehicle or start a motor
28 vehicle for any person without first obtaining from that person and
29 making a permanent record of:

30 (1) proper proof of ownership of the vehicle by the person
31 requesting duplication of the key or other device; and

32 (2) proper identification of that person as the owner, pursuant to
33 that proof of ownership, which identification shall include a
34 photograph of the person identifying himself as the owner of the motor
35 vehicle.

36 b. No dealer shall reproduce an ignition key or other device
37 designed to operate a lock or locks on a motor vehicle or start a motor
38 vehicle for any person solely on the basis of a motor vehicle
39 identification number.

40 c. A dealer or employee who violates any provision of this section
41 shall be guilty of a misdemeanor and punished by a fine of not more
42 than \$2,000 or by imprisonment not exceeding two years, or both, at
43 the court's discretion.

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45 3. This act shall take effect immediately.

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STATEMENT

This bill prohibits motor vehicle dealers and locksmiths from reproducing ignition keys or other devices used to open, start or operate a motor vehicle based simply on the motor vehicle's identification number ("VIN"). It requires the locksmith or dealer to obtain proper proof of ownership of the vehicle by the person requesting duplication of the key or other device and proper photographic identification of that person as the owner, pursuant to that proof of ownership.

A motor vehicle dealer or employee who violates any provision of the bill will be guilty of a misdemeanor and punished by a fine of not more than \$2,000 or by imprisonment not exceeding two years, or both, at the court's discretion. A locksmith or employee violating the bill's provisions will be subject to disciplinary action by the Board of Examiners of Electrical Contractors (under which the "Fire Alarm, Burglar Alarm and Locksmith Advisory Committee operates) in accordance with P.L.1978, c.73 (C.45:1-14 et seq.).

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 3684

STATE OF NEW JERSEY

DATED: JULY 1, 2003

The Assembly Budget Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3684.

This Assembly Committee Substitute for Assembly Bill No. 3684 prohibits the production and delivery of ignition keys or other devices used to open, start or operate a motor vehicle on the basis of the motor vehicle's identification number ("VIN") without 1) proof that the person requesting the ignition key or other device is the owner or lessee of the vehicle or is a member of the same household as the owner or lessee, which proof shall include one of the following: a valid motor vehicle registration certificate, a valid insurance identification card, a valid insurance policy or a certificate of ownership; and 2) photographic identification of the person requesting the ignition key or other device. The substitute requires that this information be kept on file for a period of five years.

A person who violates any provision of the substitute will be guilty of a disorderly persons offense. Notwithstanding the provisions of N.J.S.2C:43-3, the person will be subject to a fine of up to \$2,000. In addition, the person may be sentenced to up to six months imprisonment.

This legislation as substituted and reported by the committee, is identical to Senate Bill No. 2591 (SS).

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2591

STATE OF NEW JERSEY
210th LEGISLATURE

ADOPTED JUNE 16, 2003

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Assemblyman MICHAEL PATRICK CARROLL

District 25 (Morris)

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

Co-Sponsored by:

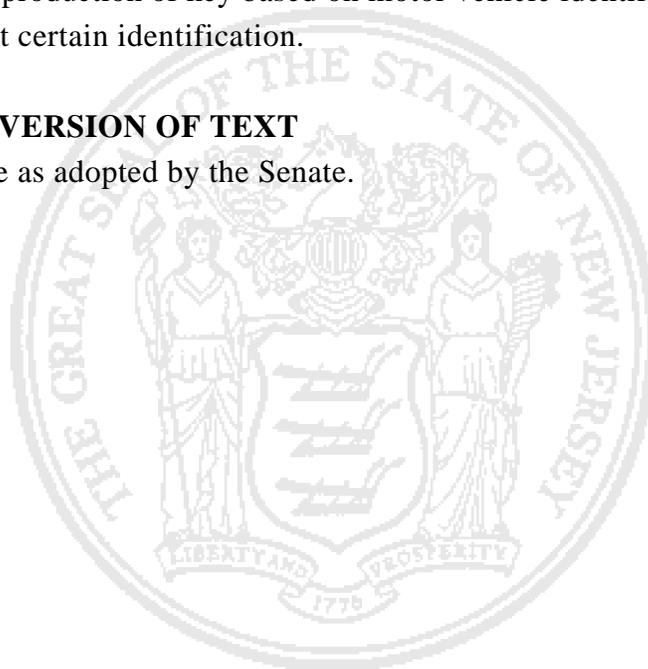
Senators Geist, Allen, Assemblywoman McHose and Assemblyman Gregg

SYNOPSIS

Prohibits production of key based on motor vehicle identification number alone without certain identification.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate.



(Sponsorship Updated As Of: 7/1/2003)

1 AN ACT concerning motor vehicles and supplementing chapter 40 of
2 Title 2C of the New Jersey Statutes.

3

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

6

7 1. a. No person shall produce and deliver an ignition key or other
8 device designed to operate a lock or locks on a motor vehicle or start
9 a motor vehicle to any person on the basis of a motor vehicle
10 identification number without obtaining and making a record of:

11 (1) proof that the person requesting the ignition key or other
12 device is the owner or lessee of the vehicle, or is a member of the same
13 household as the owner or lessee of the vehicle, and which, at a
14 minimum, shall include one of the following: a valid motor vehicle
15 registration certificate, a valid insurance identification card, a valid
16 insurance policy or a certificate of ownership; and

17 (2) identification of the person requesting the ignition key or other
18 device, which identification shall include a photograph of the person.

19 b. The records made pursuant to the requirements of subsection
20 a. of this section shall be retained for five years.

21 c. Nothing in this act shall be construed to deny a lessor or
22 lienholder lawful access to a motor vehicle.

23 d. A person who violates any provision of this act shall be guilty
24 of a disorderly persons offense, except that notwithstanding the
25 provisions of subsection c. of N.J.S.2C:43-3, a fine of not more than
26 \$2,000 may be imposed.

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28 2. This act shall take effect immediately.

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STATEMENT

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32 This Senate substitute prohibits the production and delivery of
33 ignition keys or other devices used to open, start or operate a motor
34 vehicle on the basis of the motor vehicle's identification number
35 ("VIN") without 1) proof that the person requesting the ignition key
36 or other device is the owner or lessee of the vehicle or is a member of
37 the same household as the owner or lessee, which proof shall include
38 one of the following: a valid motor vehicle registration certificate, a
39 valid insurance identification card, a valid insurance policy or a
40 certificate of ownership; and 2) photographic identification of the
41 person requesting the ignition key or other device. The substitute
42 requires that this information be kept on file for a period of five years.

43 A person who violates any provision of the substitute would be
44 guilty of a disorderly persons offense. Notwithstanding the provisions
45 of N.J.S.2C:43-3, the person would be subject to a fine of up to
46 \$2,000. In addition, the person may be sentenced to up to six months
47 imprisonment.