

# SENATE, No. 1004

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 17, 2006

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Salem, Cumberland and Gloucester)**

**SYNOPSIS**

Establishes additional penalties for motor vehicle right-of-way violations.

**CURRENT VERSION OF TEXT**

As introduced.



S1004 SWEENEY

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1 AN ACT concerning certain motor vehicle violations and  
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

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

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7 1. a. A driver of a vehicle who is convicted under R.S.39:4-90  
8 or R.S.39:4-144 for failure to yield the right-of-way and who is  
9 involved in an accident at the time of that violation shall be subject  
10 to the following penalties, in addition to those otherwise applicable:

11 (1) If the accident resulted in bodily injury to another person, a  
12 fine of not less than \$200 and the suspension of his driver's license  
13 or non-resident's driving privilege for 30 days;

14 (2) If the accident resulted in serious bodily injury to another  
15 person, a fine of not less than \$500 and the suspension of his  
16 driver's license or non-resident's driving privilege for 90 days; and

17 (3) If the accident resulted in the death of another person, a fine  
18 of not less than \$1,000 and the suspension of his driver's license or  
19 non-resident's driving privilege for six months.

20 b. As used in this section, "serious bodily injury" means bodily  
21 injury which creates a substantial risk of death or which causes  
22 serious, permanent disfigurement, or protracted loss or impairment  
23 of the function of any bodily member or organ.

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25 2. This act shall take effect immediately.

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27 STATEMENT

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29 This bill is intended to improve traffic safety and to reduce  
30 accidents involving motorcyclists. The bill would increase  
31 penalties for drivers involved in right-of-way accidents that result in  
32 injury or death. Accidents of this type often involve motorcycle  
33 riders.

34 The bill increases the penalties for two right-of-way offenses  
35 when injury or death occur: failure to yield the right-of-way at an  
36 intersection or when entering an intersecting street.

37 Under the bill, a violator who is involved in an accident resulting  
38 in bodily injury to another person would be subject to an additional  
39 fine of not less than \$200 and suspension of his driver's license or  
40 non-resident's driving privilege for 30 days. If the accident resulted  
41 in serious bodily injury to another person, a fine of not less than  
42 \$500 would be assessed and the violator's driver's license suspended  
43 for 90 days. For an accident resulting in the death of another  
44 person, the additional fine would be not less than \$1,000 and the  
45 violator's driver's license would be suspended for six months.

46 The existing penalties for these violations would continue to  
47 apply. These are a fine of not less than \$50 or more than \$100,  
48 imprisonment for a term not to exceed 15 days, or both.