

[Second Reprint]

**SENATE, No. 1923**

**STATE OF NEW JERSEY**

**214th LEGISLATURE**

INTRODUCED MAY 13, 2010

**Sponsored by:**

**Senator DONALD NORCROSS**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Permits sale of motorcycles on Sunday.

**CURRENT VERSION OF TEXT**

As amended by the Senate on June 21, 2010.



S1923 [2R] NORCROSS

2

1 AN ACT concerning motorcycle sales, supplementing chapter 10 of  
2 Title 39 of the Revised Statutes, and amending P.L.1999, c.90.

3

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

6

7 1. (New section) Any dealer <sup>2</sup>engaged in the business of  
8 selling new motorcycles and<sup>2</sup> licensed pursuant to R.S.39:10-19  
9 and who holds a franchise from a manufacturer of new  
10 motorcycles<sup>2</sup> may engage in the business of buying, selling, or  
11 exchanging motorcycles in this State on any day of the week <sup>1</sup>,  
12 except that such a dealer shall not be permitted to engage in the  
13 business of buying, selling <sup>2,2</sup> or exchanging motorcycles on a  
14 Sunday in any county where Sunday sales are prohibited pursuant to  
15 sections 14 through 18 of P.L.1999, c.90 (C.40A:64-1 et seq.)<sup>1</sup>.  
16 Nothing in this act shall be construed to affect the sale of  
17 automobiles, nor shall it be construed to require a dealer to conduct  
18 business on any particular day of the week.

19

20 2. Section 4 of P.L.1999, c.90 (C.2C:33-26) is amended to read  
21 as follows:

22 4. <sup>2</sup>**[A]** Except as provided in section 1 of P.L. , c. (C. )  
23 (pending before the Legislature as this bill), a<sup>2</sup> person who engages  
24 in the business of buying, selling<sup>1,1</sup> or exchanging **[motor vehicles]**  
25 <sup>2</sup>**[automobiles]** motor vehicles<sup>2</sup> or who opens a place of business  
26 and attempts to engage in such conduct on a Sunday commits a  
27 disorderly persons offense. The first offense is punishable by a fine  
28 not to exceed <sup>2</sup>**[\$100.00]** \$100<sup>2</sup> or imprisonment for a period of not  
29 more than 10 days or both; the second offense is punishable by a  
30 fine not to exceed \$500 or imprisonment for a period of not more  
31 than 30 days or both; the third or each subsequent offense is  
32 punishable by a fine of <sup>2</sup>**[\$750.00]** \$750<sup>2</sup> or imprisonment for a  
33 period of six months or both. If the person is a licensed dealer in  
34 new or used motor vehicles in this State, under the provisions of  
35 chapter 10, Title 39 of the Revised Statutes, the person shall also be  
36 subject to suspension or revocation of his dealer's license to engage  
37 in the business of buying, selling<sup>1,1</sup> or exchanging <sup>2</sup>**[in]**<sup>2</sup> motor  
38 vehicles in this State as provided in Title 39, chapter 10<sup>1</sup>**[**, section  
39 10<sup>1</sup>**]**, section 20, for violation of this statute. Nothing contained in  
40 this section shall be construed to prohibit a person from accepting a  
41 deposit to secure the sale of a recreational vehicle, as defined in  
42 section 1 of P.L.1999, c.284 (C.54:4-1.18), at an off-site sale

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>Senate STR committee amendments adopted May 27, 2010.

<sup>2</sup>Senate floor amendments adopted June 21, 2010.

1 authorized pursuant to section 2 of P.L.2005, c.351 (C.39:10-19.2),  
2 on a Sunday. Nothing contained in this section shall be construed  
3 to prohibit a dealer, <sup>2</sup>engaged in the business of selling new  
4 motorcycles and<sup>2</sup> licensed pursuant to R.S.39:10-19, <sup>2</sup>and who  
5 holds a franchise from a manufacturer of new motorcycles<sup>2</sup> from  
6 engaging in the business of buying, selling, or exchanging  
7 motorcycles on a Sunday <sup>1</sup>, except that such a dealer shall be  
8 prohibited from engaging in the business of buying, selling, or  
9 exchanging motorcycles on a Sunday in a county where Sunday  
10 sales are prohibited pursuant to sections 14 through 18 of P.L.1999,  
11 c.90 (C.40A:64-1 et seq.) and for a violation of this prohibition  
12 shall be subject to the penalties provided in this section for the  
13 buying, selling, or exchanging <sup>2</sup>[of automobiles] motor vehicles<sup>2</sup>  
14 on a Sunday<sup>1</sup>. As used in this section, the terms "dealer,"  
15 <sup>2</sup>["automobile,"] "motor vehicle,"<sup>2</sup> and "motorcycle" shall have the  
16 meaning set forth in R.S.39:1-1.  
17 (cf: P.L.2005, c.351, s.5)

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19 3. This act shall take effect immediately.