

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND  
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1456**

**STATE OF NEW JERSEY**

DATED: MAY 14, 2012

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably Assembly Bill No. 1456.

As reported, this bill clarifies the authority of the municipal courts to suspend, as well as revoke, driver's licenses pursuant to the provisions of R.S.39:5-31.

In State v. Morgan 393 N.J. Super. 411 (App. Div. 2007), the Appellate Division expressed concern over the validity of the use of R.S.39:5-31 by municipal court judges to suspend driver's licenses, since the statute only specifically authorizes license revocations. This issue was not germane to the case, however, and the court declined to formally address it.

This bill also updates certain provisions to make proper reference to the Chief Administrator of the New Jersey Motor Vehicle Commission and to municipal court judges, rather than magistrates.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.