ASSEMBLY, No. 131

STATE OF NEW JERSEY
217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:
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SYNOPSIS
Revises procedure for transferring motor vehicles under certain circumstances.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel. (Sponsorship Updated As Of: 4/8/2016)
AN ACT concerning motor vehicle ownership and amending P.L.1964, c.41.

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

1. Section 1 of P.L.1964, c.41 (C.39:3-30.1) is amended to read as follows:

1. In the event that a motor vehicle is registered in the \[names of 2 individuals who are husband and wife\] name of a person who is married, or in a domestic partnership or a civil union, title shall be presumed to vest in \[both persons\] that person’s spouse, domestic partner, or civil union partner with right of survivorship unless otherwise provided in the decedent’s will. In the event of the death of either spouse, domestic partner, or partner in a civil union, a new certificate of ownership and registration certificate may be granted to a \[the survivor upon proof of such death and surrender of the certificate of ownership signed by said survivor and without the necessity of\] surviving spouse, partner in a civil union couple, or domestic partner if that survivor submits a death certificate, the original certificate of ownership signed by the survivor, and a copy of the survivor’s driver’s license to the Motor Vehicle Commission.

A surviving spouse, partner in a civil union couple, or domestic partner in whom title of the motor vehicle vests pursuant to this section shall not be required to submit a Short Certificate, Surrogate’s Affidavit or other evidence of administration. (cf: P.L.1965, c.183, s. 1)

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

STATEMENT

This bill revises the procedure for transferring a motor vehicle owned by a spouse, domestic partner, or partner in a civil union upon the death of that spouse or partner. Under the bill, if a motor vehicle is registered and owned by one individual who dies, ownership may be granted to that person’s surviving spouse, partner in a civil union couple, or domestic partner so long as the survivor submits certain documents to the Motor Vehicle Commission (MVC). Those documents include a death certificate, the original certificate of ownership signed by the survivor, and a copy of the survivor’s driver’s license.

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.
Under current law, a surviving spouse, domestic partner, or partner in a civil union is required to obtain a Surrogate's Affidavit if that spouse did not hold title to the motor vehicle. This bill eliminates that requirement, and allows a surviving spouse, domestic partner, or partner in a civil union to obtain title to the vehicle upon submitting certain information to the Motor Vehicle Commission.