

ASSEMBLY, No. 306

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblyman Wirths

SYNOPSIS

Creates exemption from certain MVC fees for prisoners of war.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/7/2019)

1 **AN ACT** concerning motor vehicle fee exemptions for prisoners of
2 war and amending P.L.1948, c.28 and P.L.1981, c.236.

3

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

6

7 1. Section 1 of P.L.1948, c.28 (C.39:3-27.1) is amended to read
8 as follows:

9 1. No fee shall be charged for the registration, in any year or
10 years, of **【one】** any motor vehicle of passenger type, which is not to
11 be used for hire, owned by any resident of the State of New Jersey,
12 individually or jointly with a spouse **【;】** :

13 (1) who is eligible for compensation pursuant to R.S.38:18-1,
14 **【38:18-2】** R.S.38:18-2, and **【38:18-3,】** R.S.38:18-3;

15 (2) who has qualified or shall qualify under the provisions of
16 Public Law 663-79th Congress of the United States of America
17 (August 8, 1946) **【or】**, of Public Law 187--82nd Congress of the
18 United States of America (October 20, 1951), or who is a veteran of
19 World War I with service-connected disabilities of the kind set forth
20 in **【said】** the aforementioned Public Laws, and who is the holder of
21 a current driver's license issued by this State, if **【such】** the motor
22 vehicle is equipped with **【such】** special attachments and devices as
23 the **【Director of the Division of Motor Vehicles in the Department**
24 **of Law and Public Safety】** Chief Administrator of the Motor
25 Vehicle Commission may deem necessary to provide for the safe
26 operation thereof by **【such person, or】** the person;

27 (3) who is the holder of the Congressional Medal of Honor,
28 which registration shall be evidenced by distinctive license plates of
29 a design approved by the **【Director of the Division of Motor**
30 **Vehicles】** Chief Administrator of the Motor Vehicle Commission;
31 or

32 (4) who has served in the armed forces of the United States, or a
33 reserve component thereof, and was held as a prisoner of war by an
34 enemy of the United States during any armed conflict, as certified
35 by the Department of Military and Veteran's Affairs, or who is the
36 spouse or surviving spouse of a former prisoner of war, and has
37 been issued a distinctive license plate in accordance with section 1
38 of P.L.1981, c.236 (C.39:3-27.24).

39 (cf: P.L.1979, c.122, s.1)

40

41 2. Section 1 of P.L.1981, c.236 (C.39:3-27.24) is amended to
42 read as follows:

43 1. Upon the application of any person who served in the armed
44 forces of the United States, or a reserve component thereof, and who

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.

1 was held as a prisoner of war by an enemy of the United States
2 during any armed conflict, as certified by the Department of
3 Military and Veterans' Affairs, the **【Director of the Division of**
4 **Motor Vehicles】** Chief Administrator of the Motor Vehicle
5 Commission shall issue **【for the motor vehicle owned by such**
6 **person special plates bearing the letters "P.O.W.," in addition to the**
7 **registration number and other markings or identification otherwise**
8 **prescribed by law】** special license plates bearing the letters
9 "P.O.W.," a registration number, and other markings or
10 identification otherwise proscribed by law, for the motor vehicle
11 owed by the applicant or the motor vehicle owed by the spouse of
12 the applicant, provided that the spouse was married to the applicant
13 at the time the applicant was held as a prisoner of war and can
14 provide proof of marriage. There shall be no cost **【to the applicant**
15 **for these special plates. The applicant is required to pay the fees**
16 **otherwise prescribed by law for the registration of motor vehicles】**
17 for these special plates to the applicant or the spouse of the
18 applicant, provided that the spouse was married to the applicant at
19 the time that the applicant was held as a prisoner of war and can
20 provide proof of marriage.

21 The surviving spouse of a former prisoner of war who is eligible
22 to operate a motor vehicle in this State under the provision of
23 R.S.39:3-10 may retain the special license plates obtained by the
24 deceased **【spouse】** applicant pursuant to this section for display on
25 a motor vehicle registered to the surviving spouse under the
26 provision of R.S.39:3-4, provided that the surviving spouse was
27 married to the applicant at the time the applicant was held as a
28 prisoner of war, can provide proof of marriage, and has not
29 remarried. There shall be no cost for these special plates to the
30 surviving spouse of the applicant, provided that the surviving
31 spouse was married to the applicant at the time the applicant was
32 held as a prisoner of war, can provide proof of marriage, and has
33 not remarried.

34 (cf: P.L.1989, c.117, s.1)

35

36 3. Section 2 of P.L.1981, c.236 (C.39:3-27.25) is amended to
37 read as follows:

38 2. The **【Director of the Division of Motor Vehicles】** Chief
39 Administrator of the Motor Vehicle Commission and the Adjutant
40 General of the Department of Military and Veterans' Affairs shall
41 promulgate and adopt rules and regulations governing the issuance
42 and use of **【such】** the registration plates.

43 (cf: P.L.1989, c.117, s.2)

44

45 4. This act shall take effect on the first day of the six month
46 after enactment.

STATEMENT

This bill exempts prisoners of war (P.O.W.) and their spouses from certain New Jersey Motor Vehicle Commission (MVC) fees and expands the availability of P.O.W. license plates to P.O.W. spouses.

Under the bill, the P.O.W. exemptions are to apply to all active and reserve components of the military. The bill removes the one motor vehicle per applicant statutory restriction on motor vehicle registration fee exemptions for certain veterans, Congressional Medal of Honor winners, and P.O.W.s. The bill exempts a P.O.W., their spouse, or their surviving spouse from paying MVC motor vehicle registration fees.

The bill expands the capacity of a spouse of a P.O.W. to use a P.O.W. license plate by extending the P.O.W. license plate fee exemption to include a spouse of a P.O.W., provided that the spouse was married to the P.O.W. at the time the applicant for the P.O.W. license plate was held as a P.O.W., can provide proof of marriage, and has not remarried. The bill also allows the surviving spouse of a P.O.W. to retain the P.O.W. license plates after the death of the P.O.W. at no cost, provided that the spouse was married to the P.O.W. at the time the applicant for the P.O.W. license plate was held as a P.O.W., can provide proof of marriage, and has not remarried.