

ASSEMBLY, No. 3533

STATE OF NEW JERSEY 219th LEGISLATURE

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Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

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District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Authorizes operators of motor vehicles to display electronic proof of registration.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2021)

1 AN ACT concerning certain proof of motor vehicle registration and
2 amending R.S.39:3-29 and P.L.1972, c.200.

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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. R.S.39:3-29 is amended to read as follows:

8 39:3-29. The driver's license, the registration certificate of a
9 motor vehicle and an insurance identification card shall be in the
10 possession of the driver or operator at all times when **[he]** the
11 driver or operator is in charge of a motor vehicle on the highways
12 of this State.

13 The driver or operator shall exhibit **[his]** the driver or operator's
14 driver's license and an insurance identification card, and the holder
15 of a registration certificate or the operator or driver of a motor
16 vehicle for which a registration certificate has been issued, whether
17 or not the holder, driver or operator is a resident of this State, shall
18 also exhibit the registration certificate, when requested so to do by a
19 police officer or judge, while in the performance of the duties of
20 **[his]** their office, and shall write **[his]** the driver or operator's
21 name in the presence of the officer, so that the officer may thereby
22 determine the identity of the licensee and at the same time
23 determine the correctness of the registration certificate, as it relates
24 to the registration number and number plates of the motor vehicle
25 for which it was issued; and the correctness of the evidence of a
26 policy of insurance, as it relates to the coverage of the motor
27 vehicle for which it was issued.

28 The registration certificate or insurance identification card may
29 be displayed or provided in either paper or electronic form. For the
30 purposes of this section, "electronic form" means the display of
31 images on an electronic device, such as a cellular telephone, tablet,
32 or computer.

33 The use of a cellular telephone, tablet, computer, or any other
34 electronic device to display proof of registration or insurance does
35 not constitute consent for a police officer or judge to access any
36 other contents on the device. Any police officer or judge presented
37 with an electronic device pursuant to this section shall be immune
38 from any liability resulting from damage to the device.

39 Any person violating this section shall be subject to a fine of
40 \$150, except that if the person is a driver or operator of an omnibus,
41 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
42 \$250. Of the amount of any such fine collected pursuant to this
43 paragraph, \$25 shall be deposited in the Uninsured Motorist
44 Prevention Fund established by section 2 of P.L.1983, c.141
45 (C.39:6B-3).

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 If a person charged with a violation of this section can exhibit
2 his the person's driver's license, insurance identification card and
3 registration certificate, which were valid on the day he the person
4 was charged, to the judge of the municipal court before whom he
5 the person is summoned to answer to the charge, such judge may
6 dismiss the charge. However, the judge may impose court costs.

7 In addition to and independent of any fine or other penalty
8 provided for under law, the court shall impose a fine of \$150 on any
9 driver or operator of an omnibus, convicted of a violation of this
10 section, who does not have a certificate of public convenience and
11 necessity as required pursuant to R.S.48:4-3. The State Treasurer
12 shall annually deposit the monies collected from the fines imposed
13 pursuant to this paragraph to the "Omnibus Safety Enforcement
14 Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-
15 79.23). The fine described herein shall not be deemed a fine,
16 penalty, or forfeiture pursuant to R.S.39:5-41.
17 (cf: P.L.2015, c.54, s.1)

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19 2. Section 2 of P.L.1972, c.200 (C.39:3-29.1) is amended to
20 read as follows:

21 2. a. The Chief Administrator of the New Jersey Motor Vehicle
22 Commission shall promulgate rules and regulations concerning the
23 issuance, design, and content of the registration certificates required
24 by this act.

25 The rules and regulations shall:

26 (1) contain provisions designed to deter and detect counterfeit or
27 fraudulent registration certificates; and

28 (2) provide for an electronic form for the display of registration
29 certificates as provided in R.S.39:3-29.

30 b. The Commissioner of Banking and Insurance shall, after
31 consultation with the New Jersey Motor Vehicle Commission,
32 promulgate rules and regulations concerning the issuance, design,
33 and content of the insurance identification cards required by this
34 act.

35 The rules and regulations shall:

36 (1) contain provisions designed to deter and detect counterfeit or
37 fraudulent insurance identification cards; and

38 (2) provide for an electronic form for the display of insurance
39 identification cards as provided in R.S.39:3-29.

40 (cf: P.L.2015, c.54, s.2)

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42 3. This act shall take effect immediately.

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STATEMENT

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47 This bill allows operators of motor vehicles to provide proof of
48 motor vehicle registration electronically. The Chief Administrator

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1 of the New Jersey Motor Vehicle Commission is required to
2 promulgate rules and regulations concerning the issuance, design,
3 and content of the electronic registration certificates. The rules and
4 regulations are to contain provisions designed to deter and detect
5 counterfeit or fraudulent registration certificates and provide for an
6 electronic form for the display of registration certificates.

7 Under current law, an operator of a motor vehicle who is asked
8 to provide proof of registration is to display to a police officer or
9 judge a registration certificate only in traditional, paper form. This
10 bill provides that a registration certificate may be