

ASSEMBLY, No. 5033

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Freiman, Assemblywoman Murphy, Assemblyman Chiaravalloti, Assemblywoman Quijano, Assemblymen Moen, Houghtaling and Assemblywoman Downey

SYNOPSIS

Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/11/2021)

A5033 BENSON, DANCER

2

1 AN ACT concerning the sale of motor vehicles by motor vehicle
2 dealers, amending various parts of the statutory law, and
3 supplementing Title 39 of the Revised Statutes.

4

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

7

8 1. R.S.39:10-2 is amended to read as follows:

9 39:10-2. As used in this chapter unless other meaning is clearly
10 apparent from the language or context, or unless inconsistent with
11 the manifest intention of the Legislature:

12 "New motor vehicle" means only a newly manufactured motor
13 vehicle, except a nonconventional type motor vehicle, and includes
14 all such vehicles propelled otherwise than by muscular power, and
15 motorcycles, motorized bicycles, trailers and tractors, and
16 manufactured homes not subject to real property taxation pursuant
17 to P.L.1983, c.400 (C.54:4-1.2 et seq.), excepting such vehicles as
18 run only upon rails or tracks and manufactured homes subject to
19 real property taxation.

20 "Used motor vehicle" means every motor vehicle and motorized
21 bicycle, except a nonconventional type motor vehicle, title to, or
22 possession of, which has been transferred from the person who first
23 acquired it from the manufacturer or dealer, and so used as to
24 become what is commonly known as "secondhand" within the
25 ordinary meaning thereof, and includes every motor vehicle and
26 motorized bicycle other than a "new motor vehicle," a
27 "nonconventional type motor vehicle" or a manufactured home
28 subject to real property taxation.

29 "Any motor vehicle," "every motor vehicle," or similar term,
30 means both new and used motor vehicles, except a
31 "nonconventional type motor vehicle."

32 "Nonconventional type motor vehicle" means every vehicle not
33 designed or used primarily for the transportation of persons or
34 property and only incidentally operated or moved over a highway,
35 including, but not limited to, ditch-digging apparatus, well-boring
36 apparatus, road and general purpose construction and maintenance
37 machinery, asphalt spreaders, bituminous mixers, bucket loaders,
38 ditchers, leveling graders, finishing machines, motor graders, road
39 rollers, scarifiers, earth-moving carryalls, scrapers, power shovels,
40 drag lines, self-propelled cranes, earth-moving equipment, trailers
41 and semitrailers which weigh less than 2,500 pounds, except that no
42 mobile or manufactured home or travel trailer shall be classified as
43 a nonconventional type motor vehicle, motorized wheelchairs,
44 motorized lawn mowers, bogies, farm equipment having a factory
45 shipping weight of less than 1,500 pounds, whether or not

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 motorized, including farm tractors within said weight limitation,
2 industrial tractors, scooters, go-carts, gas buggies and golf carts.
3 The **【Director of Motor Vehicles】** Chief Administrator of the New
4 Jersey Motor Vehicle Commission shall have power to make,
5 amend and repeal regulations, not inconsistent with the provisions
6 of this paragraph, prescribing what further vehicles or types of
7 vehicles, not specified in this paragraph, shall be included in the
8 category of nonconventional type motor vehicles.

9 "Motor vehicles which constitute inventory held for sale" means
10 new motor vehicles and used motor vehicles held for the purpose of
11 sale by new motor vehicle dealers and used motor vehicles held for
12 the purpose of sale by used motor vehicle dealers, and excludes
13 motor vehicles held for the purpose of lease or rental by a person
14 engaged in the motor vehicle leasing or rental business.

15 "Manufacturer's or importer's certificate of origin" means the
16 original written instrument or document required to be executed and
17 delivered by the manufacturer to his agent or a dealer, or a person
18 purchasing direct from the manufacturer, certifying the origin of the
19 vehicle.

20 "Certificate of ownership" means the document issued in
21 conformance with this chapter, certifying ownership of a motor
22 vehicle, other than manufacturer's or importer's certificate of origin.

23 "Assignment" means the execution of a prescribed form
24 transferring ownership of a motor vehicle from the person named
25 therein to the purchaser.

26 "Contract" means conditional sale agreement, bailment, lease,
27 chattel mortgage, trust receipt or any other form of security or
28 possession agreement executed prior to January 1, 1963, wherein
29 and whereby possession of a motor vehicle is delivered to the buyer
30 and title therein is to vest in the buyer at a subsequent time upon the
31 payment of part or all of the price, or upon the performance of any
32 other condition or happening of any contingency, or upon the
33 payment of a sum substantially equivalent to the value of the motor
34 vehicle, by which contract it is agreed that the buyer is bound to
35 become, or has the option of becoming, the owner of the motor
36 vehicle upon full compliance with the terms of the contract.

37 "Abstract" means the duplicate copy of the original certificate of
38 ownership recording any encumbrance or upon which the existence
39 of a security interest is noted.

40 "Title papers" means any instrument or document that is
41 evidence of ownership of a vehicle.

42 **【"Director" means the Director of Motor Vehicles, his deputy or**
43 **duly authorized agent】**

44 "Chief Administrator" means the Chief Administrator of the
45 New Jersey Motor Vehicle Commission.

46 "Manufacturer" means the person who originally manufactured
47 the motor vehicle.

1 **["Dealer"** means the agent, distributor or authorized dealer of the
2 manufacturer of the new motor vehicle, and who has an established
3 place of business**】**

4 "Licensee" means any person that is licensed to buy, sell or deal
5 in, or lease motor vehicles pursuant to R.S.39:10-19.

6 "Established place of business" means a permanent, properly
7 identified location within the State where the books, records, and
8 files necessary to buy, sell, or deal in motor vehicles are kept and
9 maintained, including, but not limited to, all documents required by
10 R.S.39:10-6, title papers, manufacturers' or importers' certificates
11 of origin, motor vehicle registration records, contracts, security
12 agreements, all payroll records, including, but not limited to, W4
13 and W2 records, checkbooks, ledgers for business accounts and
14 trust accounts, corporate authorities and licenses, dealer plates,
15 ledgers listing all issued and unissued dealer assignments, and
16 dealer plates.

17 "New motor vehicle dealer" means the agent, distributor, or
18 authorized dealer of the manufacturer of the new motor vehicle who
19 has an established place of business. A new motor vehicle dealer
20 may engage in the business of buying, selling, or dealing in used
21 motor vehicles in this State under the provisions of this chapter.

22 "Used motor vehicle dealer" means a person engaged in the
23 business of selling, buying or dealing in four or more used motor
24 vehicles**【, and who has】** per year at an established place of
25 business, but who is not a licensed new motor vehicle dealer. A
26 used motor vehicle dealer shall engage only in the business of
27 buying, selling, or dealing in used motor vehicles in this State under
28 the provisions of this chapter and shall not engage in the business of
29 buying, selling, or dealing in new motor vehicles in this State.

30 "Person" includes natural persons, firms or copartnerships,
31 corporations, associations, or other artificial bodies, receivers,
32 trustees, common law or statutory assignees, executors,
33 administrators, sheriffs, constables, marshals, or other persons in
34 representative or official capacity, and members, officers, agents,
35 employees, or other representatives of those hereinbefore
36 enumerated.

37 "Buyer" includes purchaser, debtor, lessee, bailee, transferee,
38 and any person buying, attempting to buy, or receiving a motor
39 vehicle subject to a security interest, lease, bailment or transfer
40 agreement, and their legal successors in interest.

41 "Seller" means manufacturer, dealer, lessor, bailor, transferor
42 with or without a security interest, and any other person selling,
43 attempting to sell, or delivering a motor vehicle, and their legal
44 successors in interest.

45 The terms "sell," **【or】** "sale," "buy," or "purchase" and any form
46 thereof include absolute or voluntary sales and purchases,
47 agreements to sell and purchase, bailments, leases, security
48 agreements whereby any motor vehicles are sold and purchased, or

1 agreed to be sold and purchased, involuntary, statutory and judicial
2 sales, inheritance, devise, or bequest, gift or any other form or
3 manner of sale or agreement of sale thereof, or the giving or
4 transferring possession of a motor vehicle to a person for a
5 permanent use; continued possession for 60 days or more is to be
6 construed as permanent use.

7 "Online sale" means buying, selling, or dealing in motor vehicles
8 in this State over the Internet using electronic means.

9 "Electronic" means relating to technology having electrical,
10 digital, magnetic, optical, electromagnetic, or similar capabilities.

11 "Manufacturer's number" means the original manufacturer's
12 vehicle identification number die stamped upon the body, or frame,
13 or either or both of them, of a motor vehicle or the original
14 manufacturer's number die stamped upon the engine or motor of a
15 motor vehicle.

16 "Purchaser" means a person who takes possession of a motor
17 vehicle by transfer of ownership, either for use or resale, except a
18 dealer when he takes possession through a certificate of origin.

19 "Debtor" means the person who owes payment or other
20 performance of the obligation secured by a security interest in a
21 motor vehicle.

22 "Security interest" means an interest in a motor vehicle which
23 secures payment or other performance of an obligation.

24 "Security agreement" means an agreement which creates or
25 provides for a security interest in a motor vehicle.

26 "Secured party" means a lender, seller or other person in whose
27 favor there is a security interest.

28 "Gross vehicle weight rating" means the value specified by the
29 manufacturer as the loaded weight of the single or combination
30 vehicle and, if the manufacturer has not specified a value for a
31 towed vehicle, means the value specified for the towing vehicle plus
32 the loaded weight of the towed unit.

33 (cf: P.L.1990, c.115, s.4)

34

35 2. R.S.39:10-19 is amended to read as follows:

36 39:10-19. No person shall engage in the business of buying,
37 selling or dealing in motor vehicles in this State, nor shall a person
38 engage in activity that would qualify the person as a leasing dealer,
39 as defined in section 2 of P.L.1994, c.190 (C.56:12-61), unless: a.
40 the person is a licensed real estate broker acting as an agent or
41 broker in the sale of mobile homes without their own motor power
42 other than recreation vehicles as defined in section 3 of
43 P.L.1990, c.103 (C.39:3-10.11), or manufactured homes as defined
44 in section 3 of P.L.1983, c.400 (C.54:4-1.4); or b. the person is
45 authorized to do so under the provisions of this chapter and
46 P.L.1985, c.361 (C.56:10-26 et seq.).

47 The chief administrator may, upon application in such form as
48 the chief administrator prescribes, license any proper person as

1 **【such】** a new motor vehicle dealer, a used motor vehicle dealer or a
2 leasing dealer. A licensed real estate broker shall be entitled to act
3 as an agent or broker in the sale of a mobile or manufactured home
4 as defined in subsection a. of this section without obtaining a
5 license from the chief administrator. For the purposes of this
6 chapter, a "licensed real estate broker" means a real estate broker
7 licensed by the New Jersey Real Estate Commission pursuant to the
8 provisions of chapter 15 of Title 45 of the Revised Statutes. Any
9 sale or transfer of a mobile or manufactured home, in which a
10 licensed real estate broker acts as a broker or agent pursuant to this
11 section, which sale or transfer is subject to any other requirements
12 of R.S.39:10-1 et seq., shall comply with all of those requirements.

13 No person who has been convicted of a crime, arising out of
14 fraud or misrepresentation in the sale, leasing or financing of a
15 motor vehicle, shall be eligible to receive a license. For the
16 purposes of this section, each applicant for a license shall submit to
17 the chief administrator the applicant's name, address, fingerprints,
18 and written consent for a criminal history record background check
19 to be performed. The chief administrator is hereby authorized to
20 exchange fingerprint data with and receive criminal history record
21 information from the State Bureau of Identification in the Division
22 of State Police and the Federal Bureau of Investigation consistent
23 with applicable State and federal laws, rules, and regulations, for
24 purposes of facilitating determinations concerning licensure
25 eligibility. The applicant shall bear the cost for the criminal history
26 record background check, including all costs of administering and
27 processing the check. The Division of State Police shall promptly
28 notify the chief administrator in the event a current holder of a
29 license or prospective applicant, who was the subject of a criminal
30 history record background check pursuant to this section, is arrested
31 for a crime or offense in this State after the date the background
32 check was performed.

33 Each applicant for a new motor vehicle dealer license shall at the
34 time such license is issued have established and maintained, or by
35 that application shall agree to establish and maintain, within 90
36 days after the issuance thereof, a place of business consisting of a
37 permanent building not less than 1,000 square feet in floor space
38 located in the State of New Jersey to be used principally for the
39 servicing and display of motor vehicles with such equipment
40 installed therein as shall be requisite for the servicing of motor
41 vehicles in such manner as to make them comply with the laws of
42 this State and with any rules and regulations made by the board
43 governing the equipment, use, and operation of motor vehicles
44 within the State. **【However, a leasing dealer, who is not engaged in**
45 **the business of buying, selling, or dealing in motor vehicles in the**
46 **State, shall not be required to maintain a place of business with**
47 **floor space available for the servicing or display of motor vehicles**
48 **or to have an exterior sign at the lessor's place of business.】**

1 Each applicant for a used motor vehicle dealer license shall at the
2 time such license is issued maintain an established place of business
3 consisting of a minimum office space of 72 square feet within a
4 permanent, enclosed building located in the State of New Jersey,
5 and where there are included or immediately contiguous, clearly
6 identified, fixed facilities for the licensee to display at least two
7 automobiles.

8 An established place of business of a new motor vehicle dealer
9 or a used motor vehicle dealer shall display an exterior sign
10 permanently affixed to the land or building, which sign is consistent
11 with local ordinances and has letters easily readable from the major
12 avenues of traffic. The sign shall include the dealer name or trade
13 name, provided such trade name has been previously disclosed to
14 the chief administrator.

15 A license fee of \$200 shall be paid by an applicant upon the
16 applicant's initial application for a license. The chief administrator
17 may renew an applicant's license upon application for renewal on a
18 form prescribed by the chief administrator and accompanied by a
19 renewal fee of \$200. Every license shall expire 24 months from the
20 date on which it is issued. The chief administrator may, at the chief
21 administrator's discretion and for good cause shown, extend an
22 applicant's license for an additional period not to exceed 12 months
23 from the date on which it is scheduled to expire. The chief
24 administrator may, at the chief administrator's discretion and for
25 good cause shown, issue a license which shall expire on a date fixed
26 by the chief administrator. The fee for licenses with an expiration
27 date fixed by the chief administrator shall be fixed by the chief
28 administrator in an amount proportionately less or greater than the
29 fee established herein.

30 For the purposes of this section, a leasing dealer or an assignee
31 of a leasing dealer whose leasing activities are limited to buying
32 motor vehicles for the purpose of leasing them and selling motor
33 vehicles at the termination of a lease shall not be deemed to be
34 engaged in the business of buying, selling, or dealing in motor
35 vehicles in this State. A leasing dealer, who is not engaged in the
36 business of buying, selling, or dealing in motor vehicles in the
37 State, shall not be required to maintain a place of business with
38 floor space available for the servicing or display of motor vehicles
39 or have an exterior sign at the lessor's place of business.

40 (cf: P.L.2015, c.24, s.1)

41
42 3. Section 1 of P.L.2005, c.351 (C.39:10-19.1) is amended to
43 read as follows:

44 1. As used in this act:

45 "Off-site sale" means the display and sale of new or used
46 recreational vehicles by a recreational vehicle dealer, or used motor
47 vehicles registered in New Jersey by a used motor vehicle dealer,
48 licensed under the provisions of R.S.39:10-19, at a location other

1 than the dealer's established place of business. An "off-site sale"
2 includes any off-site display of vehicles at which a recreational
3 vehicle or used motor vehicle dealer has a sales person or employee
4 present. For the purposes of this act, "off-site sale" does not
5 include:

6 a. An off-site display of vehicles at which a recreational
7 vehicle or used motor vehicle dealer has no sales personnel present;

8 b. The sale of a vehicle at an auction at which only wholesale
9 purchases are permitted; **[or]**

10 c. The use of telephones, telephone call-forwarding, email,
11 internet websites or other internet communications which allow a
12 licensed dealer or dealership employee to communicate with
13 customers while either the customer or the dealer or employee
14 thereof is not present at the licensed physical location of the
15 dealership, provided the contract for the sale of a vehicle is
16 finalized and the sale transaction completed at the licensed location;
17 or

18 d. An online sale authorized pursuant to section 4 of
19 P.L. , c. (C.) (pending before the Legislature as this bill).

20 "Sponsoring organization" means:

21 a. a credit union, automobile club, or other such not for profit
22 organization or entity that makes the opportunity to attend and
23 purchase a motor vehicle at an off-site sale available to its
24 members; or

25 b. a trade show coordinator, or other such organization, entity,
26 or individual that makes the opportunity to attend and purchase a
27 recreational vehicle at an off-site sale available to ticketed
28 individuals.

29 (cf: P.L.2007, c.335, s.25)

30

31 4. (New section) a. A licensee may conduct online sales of
32 motor vehicles anywhere in this State in accordance with this
33 chapter subject to the additional requirements set forth in subsection
34 b. of this section.

35 b. In addition to meeting the requirements set forth in this
36 chapter for engaging in the business of buying, selling, and dealing
37 in motor vehicles in this State, licensees conducting online sales of
38 motor vehicles in this State shall meet the following requirements:

39 (1) Licensees may keep and maintain non-physical, electronic
40 records of online sales of motor vehicles, but the records shall be
41 kept and maintained in a format that allows immediate inspection
42 and examination by the chief administrator or his or her agent; and

43 (2) Licensees shall only conduct online sales of motor vehicles
44 that constitute inventory held for sale by the licensee or a parent or
45 affiliate thereof.

46

47 5. (New section) Sections 5 through 8 of P.L. , c.
48 (C. through C.) (pending before the Legislature as this

1 bill) shall be known and may be cited as the “Motor Vehicle
2 Transaction Modernization Act.”

3

4 6. (New section) As used in sections 5 through 8 of P.L. , c.
5 (C. through C.) (pending before the Legislature as this
6 bill):

7 “Buyer” includes a purchaser, debtor, lessee, bailee, transferee,
8 and any person buying, attempting to buy, or receiving a motor
9 vehicle subject to a security interest, lease, bailment or transfer
10 agreement, or their legal successors in interest.

11 “Electronic” means relating to technology having electrical,
12 digital, magnetic, optical, electromagnetic, or similar capabilities.

13 “Electronic signature” means an electronic symbol, sound, or
14 process attached to, or logically associated with, a record and
15 executed or adopted by an individual with the intent to sign the
16 record.

17 “Licensee” means any natural person or entity that is licensed to
18 buy, sell or deal in, or lease motor vehicles pursuant to R.S.39:10-
19 19.

20 “Motor vehicle transaction” means any “sale,” “purchase,” or
21 “online sale” as those terms are defined pursuant to R.S.39:10-2 or
22 any lease as defined pursuant to section 2 of P.L.1994, c.190
23 (C.56:12-61), conducted by a licensee.

24 “Transaction documents” means any documents required to
25 complete the sale or lease of a motor vehicle in the State, including,
26 but not limited to, title papers, manufacturers’ or importers’
27 certificates of origin, contracts, security agreements, assignments,
28 abstracts, or any other documents required by chapters 3 and 10 of
29 Title 39 of the Revised Statutes. Transaction documents shall also
30 include, but not be limited to, any powers of attorney granted by a
31 buyer to a licensee for purposes of execution of any other
32 transaction documents.

33

34 7. (New section) a. Notwithstanding any provision of law
35 or regulation to the contrary, during a motor vehicle transaction
36 conducted by a licensee, the buyer and licensee may execute and
37 acknowledge all transaction documents by electronic signature.

38 b. When executing transaction documents, an electronic
39 signature shall be attributable to a person if it is the action of the
40 person. The act of the person may be shown in any manner,
41 including a showing of the efficacy of any security procedure
42 applied to determine the person to which the electronic signature is
43 attributable.

44 c. The effect of an electronic signature attributed to a person
45 under subsection b. of this section shall be determined from the
46 context and surrounding circumstances at the time of the creation,
47 execution, or adoption of the electronic signature, including the
48 parties’ agreement, if any, and as otherwise provided by law.

1 d. Nothing in sections 5 through 8 of P.L. , c.
2 (C. through C.) (pending before the Legislature as this
3 bill) shall mandate the use of electronic signatures or require buyers
4 and licensees to provide electronic signatures. An electronic
5 signature shall be a valid and acceptable alternative to a traditional
6 ink signature for the purposes of executing transaction documents.

7 e. The Chief Administrator of the New Jersey Motor Vehicle
8 Commission shall not reject transaction documents submitted by a
9 licensee on the basis that such documents bear electronic signatures.
10

11 8. (New section) Notwithstanding any provision of law or
12 regulation to the contrary, during a motor vehicle transaction
13 conducted by a licensee, the Chief Administrator of the New Jersey
14 Motor Vehicle Commission shall not require a notarized signature
15 on any transaction documents.
16

17 9. Section 1 of P.L.1999, c.149 (C.39:2-3.8) is amended to read
18 as follows:

19 1. a. Whenever any law, rule or regulation requires or permits
20 documents or information to be prepared by or submitted to the
21 **【Division of Motor Vehicles in the Department of Transportation】**
22 New Jersey Motor Vehicle Commission, the **【director】** chief
23 administrator may permit the documents or information to be
24 prepared by or submitted to the **【division】** commission in electronic
25 or digital form, or processed electronically, except that the
26 commission shall permit documents or information related to the
27 “Motor Vehicle Transaction Modernization Act” pursuant to
28 sections 5 through 8 of P.L. , c. (C. through C.)
29 (pending before the Legislature as this bill) to be prepared by or
30 submitted to the commission in electronic or digital form, or
31 processed electronically. In no event shall an individual be required
32 to submit documents or information only in electronic or digital
33 form; nor shall documents or information be made available to an
34 individual only in electronic or digital form. Submission in
35 electronic or digital form **【may】** shall be permitted pursuant to this
36 section notwithstanding that any law, rule or regulation requires
37 documents or information to be written or to be submitted in
38 writing, specifies that documents or information be signed,
39 certified, verified or witnessed, or otherwise explicitly or implicitly
40 requires the preparation or submission of documents or information
41 on paper or in written form. As used in this subsection,
42 "individual" means a natural person.

43 b. The **【director】** chief administrator, after consultation with
44 the State Records Committee **【in the Department of State】**, shall
45 adopt, pursuant to the "Administrative Procedure Act,"
46 P.L.1968, c.410 (C.52:14B-1 et seq.), regulations specifying how
47 the signature, verification, certification, witnessing or other formal

1 requirements shall be met with respect to documents or information
2 permitted to be prepared or submitted in electronic or digital form
3 pursuant to this section and specifying such additional safeguards as
4 the **【director】** chief administrator deems necessary to protect the
5 privacy, and prevent improper access to or disclosure, of any
6 personal information as defined in section 1 of P.L.1997, c.188
7 (C.39:2-3.3) that may be transmitted in an electronic or digital
8 form, or processed electronically. Regulations adopted pursuant to
9 this subsection **【may】** shall permit the use of digital signature
10 technology for the signing of documents and other appropriate
11 purposes. If necessary, the chief administrator may adopt
12 regulations to implement the provisions of P.L. , c. (C.)
13 (pending before the Legislature as this bill) not later than 60 days
14 after the effective date of P.L. , c. (C.) (pending before the
15 Legislature as this bill).
16 (cf: P.L.1999, c.149, s.1)

17
18 10. This act shall take effect immediately.

21 STATEMENT

22
23 This bill authorizes motor vehicle dealers to sell motor vehicles
24 online. Further, to facilitate the online sale of motor vehicles, this
25 bill allows the buyer and the licensed motor vehicle dealer to
26 acknowledge all motor vehicle transaction documents by electronic
27 signature, as a valid and acceptable alternative to a traditional ink
28 signature. Under the bill, an off-site sale of a motor vehicle does
29 not include an online sale of a motor vehicle that meets the
30 requirements under the bill.

31 The bill prohibits the Chief Administrator of the New Jersey
32 Motor Vehicle Commission (commission) from refusing to accept
33 electronically signed transaction documents and from requiring a
34 notarized signature of any transaction documents completed by a
35 licensed motor vehicle dealer. The bill also requires the
36 commission to permit the use of digital signature technology for the
37 signing of documents and other appropriate purposes and to allow
38 documents to be submitted in electronic form if the documents
39 pertain to the provisions of the “Motor Vehicle Transaction
40 Modernization Act.”

41 The bill adds certain definitions and modifies the definition of a
42 “used motor vehicle dealer” to provide that a person meets the
43 definition of a used motor vehicle dealer if the person engages in
44 the business of selling, buying, or dealing in four or more used
45 motor vehicles per year at an established place of business. The bill
46 prohibits a used motor vehicle dealer from engaging in the business
47 of buying, selling, or dealing in new motor vehicles in New Jersey.

A5033 BENSON, DANCER

12

1 The bill requires a used motor vehicle dealer to maintain an
2 established place of business that meets certain requirements
3 described in the bill. The bill also requires that the established
4 place of business of a new motor vehicle dealer or used motor
5 vehicle dealer display an exterior sign that meets certain
6 requirements described in the bill.