

[Third Reprint]

SENATE, No. 324

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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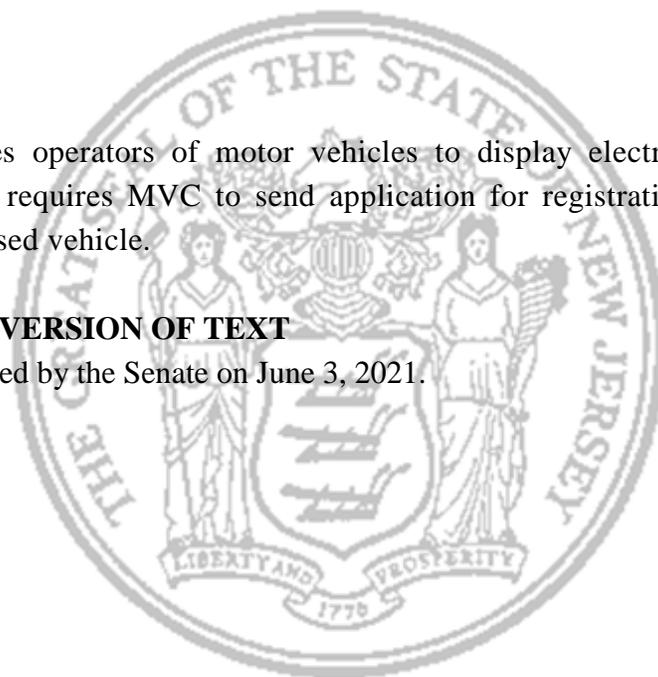
**Senators Gill, O'Scanlon, Assemblyman Moen, Assemblywomen Vainieri
Huttle, Jasey, Assemblyman Calabrese and Senator Pou**

SYNOPSIS

Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle.

CURRENT VERSION OF TEXT

As amended by the Senate on June 3, 2021.



(Sponsorship Updated As Of: 6/3/2021)

1 AN ACT concerning ²**[certain proof of]**² motor vehicle registration
 2 and amending ²R.S.39:3-4,² R.S.39:3-29²,² and P.L.1972, c.200.

3
 4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6
 7 ²1. R.S.39:3-4 is amended to read as follows:

8 39:3-4. Except as hereinafter provided, every resident of this
 9 State and every nonresident whose automobile or motorcycle shall
 10 be driven in this State shall, before using the vehicle on the public
 11 highways, register the same, and an automobile or motorcycle shall
 12 not be driven unless so registered.

13 Registration shall be made in the following manner: An
 14 application in writing, signed by the applicant or by an agent or
 15 officer, in case the applicant is a corporation, shall be made to the
 16 chief administrator or the chief administrator's agent, on forms
 17 prepared and supplied by the chief administrator, containing the
 18 name, street address of the residence or the business of the owner,
 19 mailing address, if different from the street address of the owner's
 20 residence or business, and age of the owner, together with a
 21 description of the character of the automobile or motorcycle,
 22 including the name of the maker and the vehicle identification
 23 number, or the manufacturer's number or the number assigned by
 24 the chief administrator if the vehicle does not have a vehicle
 25 identification number, and any other statement that may be required
 26 by the chief administrator. A post office box shall appear on the
 27 application only as part of a mailing address that is submitted by the
 28 owner, agent or officer, as the case may be, in addition to the street
 29 address of the applicant's residence or business; provided, however,
 30 the chief administrator, upon application, shall permit a person who
 31 was a victim of a violation of section 1 of P.L.1992, c.209
 32 (C.2C:12-10), N.J.S.2C:14-2, or P.L.1991, c.261 (C.2C:25-17 et
 33 seq.), or who the chief administrator otherwise determines to have
 34 good cause, to use as a mailing address a post office box, an address
 35 other than the applicant's address or other contact point. An owner
 36 whose last address appears on the records of the commission as a
 37 post office box shall change the owner's address on the owner's
 38 application for renewal to the street address of the owner's
 39 residence or business and, if different from the owner's street
 40 address, the owner's mailing address unless the chief administrator
 41 has determined, pursuant to this section, that the owner may use a
 42 post office box, an address other than the owner's address or other
 43 contact point as a mailing address. The application shall contain the
 44 name of the insurer of the vehicle and the policy number. If the
 45 vehicle is a leased motor vehicle, the application shall make note of

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

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted February 10, 2020.

²Assembly floor amendments adopted March 25, 2021.

³Senate floor amendments adopted June 3, 2021.

1 that fact and shall include along with the name and street address of
2 the lessor the name, street address, and driver license number of the
3 lessee.

4 Thereupon the chief administrator shall have the power to grant a
5 registration certificate to the owner of any motor vehicle, if over 17
6 years of age, application for the registration having been properly
7 made and the fee therefor paid, and the vehicle being of a type that
8 complies with the requirements of this Title. The form and contents
9 of the registration certificate to be issued shall be determined by the
10 chief administrator.

11 If the vehicle is a leased motor vehicle, the registration
12 certificate shall, in addition to containing the name and street
13 address of the lessor, identify the vehicle as a leased motor vehicle.

14 ³The chief administrator may send the registration certificate
15 directly to the lessee.³

16 The chief administrator shall maintain a record of all registration
17 certificates issued, and of the contents thereof.

18 Every registration shall expire and the registration certificate
19 thereof become void on the registrant's numerical calendar day of
20 birth in the 12th calendar month following the calendar month in
21 which the certificate was issued; except that the registration shall
22 expire on the last day of the 12th calendar month following the
23 calendar month in which the certificate was issued if the numerical
24 calendar day of the registrant's birth does not correspond to a
25 numerical calendar day in that month or if the vehicle is a leased
26 motor vehicle.

27 The chief administrator may, at the chief administrator's
28 discretion, require registrations which shall expire, and issue
29 certificates thereof which shall become void, on a date fixed by
30 him, which date shall not be sooner than three months nor later than
31 26 months after the date of issuance of the certificates, and the fees
32 for the registrations, including any other fees or charges collected in
33 connection with the registration fee, shall be fixed by the chief
34 administrator in amounts proportionately less or greater than the
35 fees established by law. The chief administrator may fix the
36 expiration date for registration certificates at a date other than 12
37 months if the chief administrator determines that the change is
38 necessary, appropriate or convenient in order to aid in
39 implementing the vehicle inspection requirements of chapter 8 of
40 Title 39 or for other good cause. The chief administrator may, for
41 good cause extend a registration beyond the expiration date that
42 appears upon the registration certificate for periods not to exceed 12
43 additional months. The chief administrator may extend the
44 expiration date of a registration without payment of a proportionate
45 fee when the chief administrator determines that the extension is
46 necessary for good cause. If any registration is so extended, the
47 owner shall pay upon renewal the full registration fee for the period
48 fixed by the chief administrator as if no extension had been granted.

1 Notwithstanding any other provision of law to the contrary,
2 every registration for new passenger automobiles shall expire and
3 the registration certificate shall become void on the registrant's
4 numerical calendar day of birth in the 48th calendar month
5 following the calendar month in which the certificate was initially
6 issued; except that the registration shall expire on the last day of the
7 48th calendar month following the calendar month in which the
8 certificate was initially issued if the numerical calendar day of the
9 registrant's birth does not correspond to a numerical calendar day in
10 that month.

11 On and after February 1, 2005, the provisions of this paragraph
12 shall not apply to new passenger automobiles purchased by a rental
13 company for use as rental passenger automobiles. As used in this
14 paragraph, "rental company" means a person engaged in the
15 business of renting motor vehicles; and "rental passenger
16 automobile" means a passenger automobile that is rented without a
17 driver and used in the transportation of persons or property other
18 than commercial freight.

19 If the new passenger automobile being registered is a leased
20 passenger automobile, the registration shall expire in accordance
21 with the term of the lease. If the term of the lease extends beyond
22 one or more 12-month periods by one or more months, the
23 registration period shall be based upon the full year into which one
24 or more of the months extend; provided, however, the registration
25 period for a leased automobile shall not exceed 48 months.

26 Following the 48-month period of the initial registration of a new
27 passenger automobile, the subsequent registration shall expire, and
28 the registration certificate shall become void, on the registrant's
29 numerical calendar day of birth in the 12th calendar month
30 following the calendar month in which the certificate was next
31 issued; except that the registration shall expire on the last day of the
32 12th calendar month following the calendar month in which the
33 certificate was next issued if the numerical calendar day of the
34 registrant's birth does not correspond to a numerical calendar day in
35 that month.

36 All motorcycles for which registrations have been issued prior to
37 the effective date of P.L.1989, c.167 and which are scheduled to
38 expire between November 1 and March 31 shall, upon renewal, be
39 issued registrations by the chief administrator which shall expire on
40 a date fixed by him, but in no case shall that expiration date be
41 earlier than April 30 nor later than October 31. The fees for the
42 renewal of the motorcycle registrations authorized under this
43 paragraph shall be fixed by the chief administrator in an amount
44 proportionately less or greater than the fee established by R.S.39:3-
45 21.

46 Application forms for all renewals of registrations for passenger
47 automobiles shall be sent to the last addresses of owners of motor
48 vehicles and motorcycles, as they appear on the records of the

1 commission ³**[.]**³ except that the application form for a renewal of
2 registration for a leased passenger automobile shall be sent to the
3 last address of the lessee of the motor vehicle as it appears on the
4 records of the commission.

5 A person owning or having control over any unregistered vehicle
6 shall not permit the same to be parked or to stand on a public
7 highway.

8 Any police officer is authorized to remove any unregistered
9 vehicle from the public highway to a storage space or garage, and
10 the expense involved in the removal and storing of the vehicle shall
11 be borne by the owner of the vehicle, except that the expense shall
12 be borne by the lessee of a leased vehicle.

13 Any person violating the provisions of this section shall be
14 subject to a fine not exceeding \$100, except that for the
15 misstatement of any fact in the application required to be made to
16 the chief administrator, the person making the statement or omitting
17 the statement that the motor vehicle is to be used as a leased motor
18 vehicle when that is the case shall be subject to the penalties
19 provided in R.S.39:3-37.

20 The chief administrator may extend the expiration date of a
21 registration certificate without payment of a proportionate fee when
22 the chief administrator determines that the extension is necessary,
23 appropriate or convenient to the implementation of vehicle
24 inspection requirements. If any registration certificate is so
25 extended, the owner shall pay upon renewal the full registration fee
26 for the period fixed by the chief administrator as if no extension had
27 been granted.

28 The New Jersey Motor Vehicle Commission shall make a
29 reasonable effort to notify any lessor whose name and address is on
30 file with the commission, or any other lessor the commission may
31 determine it is necessary to notify, of the requirements of this
32 amendatory act.

33 A lessor doing business in this State shall notify in writing the
34 lessee of a motor vehicle registered pursuant to this Title of any
35 change in its policies or procedures affecting the registration of the
36 motor vehicle.²

37 (cf: P.L.2017, c.271, s.1)

38

39 ²**[1.]** 2.² R.S.39:3-29 is amended to read as follows:

40 39:3-29. The driver's license, the registration certificate of a
41 motor vehicle, and an insurance identification card shall be in the
42 possession of the driver or operator at all times when **[he]** the
43 driver or operator is in charge of a motor vehicle on the highways
44 of this State.

45 The driver or operator shall exhibit **[his]** the driver or operator's
46 driver's license and an insurance identification card, and the holder
47 of a registration certificate or the operator or driver of a motor

1 vehicle for which a registration certificate has been issued, whether
2 or not the holder, driver or operator is a resident of this State, shall
3 also exhibit the registration certificate, when requested so to do by a
4 police officer or judge, while in the performance of the duties of
5 **【his】** their office, and shall write **【his】** the driver or operator's
6 name in the presence of the officer, so that the officer may thereby
7 determine the identity of the licensee and at the same time
8 determine the correctness of the registration certificate, as it relates
9 to the registration number and number plates of the motor vehicle
10 for which it was issued; and the correctness of the evidence of a
11 policy of insurance, as it relates to the coverage of the motor
12 vehicle for which it was issued.

13 The registration certificate or insurance identification card may
14 be displayed or provided in either paper or electronic form. For the
15 purposes of this section, "electronic form" means the display of
16 images on an electronic device, such as a cellular telephone, tablet,
17 or computer.

18 The use of a cellular telephone, tablet, computer, or any other
19 electronic device to display proof of registration or insurance does
20 not constitute consent for a police officer or judge to access any
21 other contents on the device. Any police officer or judge presented
22 with an electronic device pursuant to this section shall be immune
23 from any liability resulting from damage to the device.

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

31 If a person charged with a violation of this section can exhibit
32 **【his】** the person's driver's license, insurance identification card,
33 and registration certificate, which were valid on the day **【he】** the
34 person was charged, to the judge of the municipal court before
35 whom **【he】** the person is summoned to answer to the charge, such
36 judge may dismiss the charge. However, the judge may impose
37 court costs.

38 In addition to and independent of any fine or other penalty
39 provided for under law, the court shall impose a fine of \$150 on any
40 driver or operator of an omnibus, convicted of a violation of this
41 section, who does not have a certificate of public convenience and
42 necessity as required pursuant to R.S.48:4-3. The State Treasurer
43 shall annually deposit the monies collected from the fines imposed
44 pursuant to this paragraph to the "Omnibus Safety Enforcement
45 Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-
46 79.23). The fine described herein shall not be deemed a fine,
47 penalty, or forfeiture pursuant to R.S.39:5-41.
48 (cf: P.L.2015, c.54, s.1)

1 ²[2.] ^{3.}² Section 2 of P.L.1972, c.200 (C.39:3-29.1) is
2 amended to read as follows:

3 2. a. The Chief Administrator of the New Jersey Motor
4 Vehicle Commission ¹[shall] ¹may¹ promulgate rules and
5 regulations concerning the issuance, design, and content of the
6 registration certificates required by this act.

7 The ¹[rules and regulations shall:

8 (1) contain provisions designed] commission may take any
9 actions necessary¹ to deter and detect counterfeit or fraudulent
10 registration certificates ¹[:]¹ and ¹[

11 (2)] to¹ provide for an electronic form for the display of
12 registration certificates as provided in R.S.39:3-29.

13 b. The Commissioner of Banking and Insurance shall, after
14 consultation with the New Jersey Motor Vehicle Commission,
15 promulgate rules and regulations concerning the issuance, design,
16 and content of the insurance identification cards required by this
17 act.

18 The rules and regulations shall:

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

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

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

24
25 ²4. (New section) The driver or operator of a motor vehicle may
26 provide proof of registration in electronic form to any law
27 enforcement officer, judicial officer, or other person, including an
28 electronic image or photograph depicting the registration certificate
29 for the motor vehicle.²

30
31 ²[3] ^{5.}² ²[This] Sections 1 through 3 of this² act shall take
32 effect ¹[immediately] on the first day of the 18th month following
33 enactment, but the chief administrator may take any anticipatory
34 acts in advance of that date as may be necessary for the timely
35 implementation of this act¹. ²Section 4 of this act shall take effect
36 immediately and shall expire on the first day of the 18th month
37 following enactment.²