

[Second Reprint]

**SENATE, No. 1789**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Co-Sponsored by:**

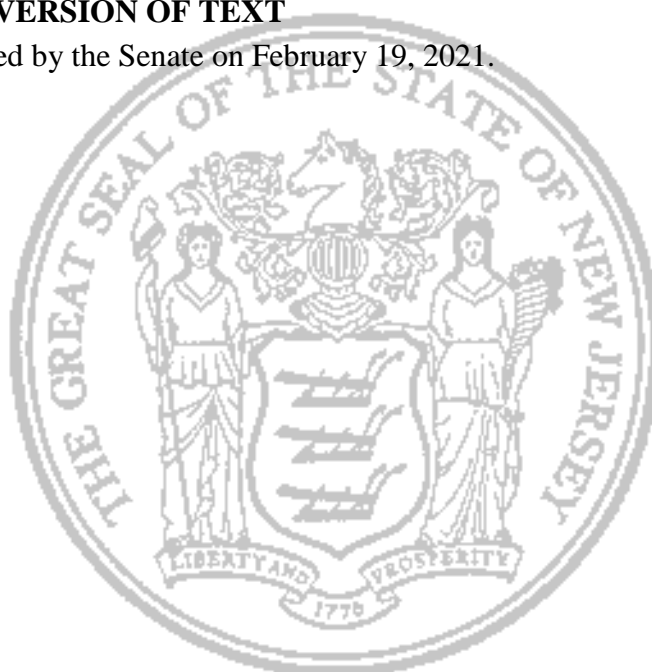
**Senator Pou**

**SYNOPSIS**

Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states.

**CURRENT VERSION OF TEXT**

As amended by the Senate on February 19, 2021.



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

1 AN ACT concerning toll enforcement, amending various parts of the  
 2 statutory law, and supplementing Title 27 <sup>2</sup>[and Title 32]<sup>2</sup> of the  
 3 Revised Statutes.

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

7  
 8 <sup>2</sup>[1. Section 10 of P.L.1951, c.264 (C.27:23-34) is amended to  
 9 read as follows:

10 10. Except as provided in sections eight and nine of this act, any  
 11 violation of any of the provisions hereof, including but not limited to  
 12 those regarding the payment of tolls, and any violation of any  
 13 regulation adopted by the Authority under the provisions of this act  
 14 shall be punishable by a fine not exceeding [five hundred dollars  
 15 (\$500) or by imprisonment not exceeding thirty days or by both such  
 16 fine and imprisonment] \$100 for the first violation and not exceeding  
 17 \$600 for each subsequent violation. Such a violation shall be tried in a  
 18 summary way and shall be within the jurisdiction of and may be  
 19 brought in the Superior Court or any municipal court where the  
 20 offense was committed. The rules of the Supreme Court shall govern  
 21 the practice and procedure in such proceedings<sup>1</sup>, except as provided  
 22 by any reciprocity agreement entered into by the Authority or by the  
 23 New Jersey Motor Vehicle Commission, on behalf of the Authority,  
 24 pursuant to section 4 of P.L. , c. (C. ) (pending before the  
 25 Legislature as this bill)]<sup>1</sup>. Proceedings under this section may be  
 26 instituted on any day of the week, and the institution of the  
 27 proceedings on a Sunday or a holiday shall be no bar to the successful  
 28 prosecution thereof. Any process served on a Sunday or a holiday  
 29 shall be as valid as if served on any other day of the week.

30 When imposing any penalty under the provisions of this section the  
 31 court having jurisdiction shall be guided by the appropriate provisions  
 32 of any statute adopted at the current session of the Legislature, or  
 33 hereafter, fixing uniform penalties for violation of certain provisions of  
 34 the motor vehicle and traffic laws contained in Title 39 of the Revised  
 35 Statutes.

36 (cf: P.L.2003, c.79, s.35)]<sup>2</sup>

37  
 38 <sup>2</sup>[2. Section 7 of P.L.1997, c.59 (C.27:23-34.2) is amended to  
 39 read as follows:

40 7. a. The authority may, in accordance with the  
 41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
 42 1 et seq.), adopt toll collection monitoring system regulations. The  
 43 regulations shall include a procedure for processing toll violations  
 44 and for the treatment of inadvertent violations. **[A]** In addition to

**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:

<sup>1</sup>Senate STR committee amendments adopted October 8, 2020.

<sup>2</sup>Senate floor amendments adopted February 19, 2021.

1 the penalty provided for in section 14 of P.L.1951, c.264 (C.27:23-  
2 38), a person who violates the regulations shall be liable to a civil  
3 penalty in an amount not to exceed \$500 to be established by the  
4 authority] \$100 for the first violation and an amount not to exceed  
5 \$600 for each subsequent violation. The penalty shall be enforced  
6 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,  
7 c.274 (C.2A:58-10 et seq.).

8 b. Except as provided in subsection b. of section 8 of P.L.1997,  
9 c.59 (C.27:23-34.3), an owner of a vehicle shall be jointly and  
10 severally liable for the failure of an operator of the vehicle to  
11 comply with the toll collection monitoring system regulations. The  
12 owner of a vehicle shall be liable if such vehicle was used or  
13 operated by the operator with the express or implied permission of  
14 the owner when the violation of the toll collection monitoring  
15 system regulations was committed, and the evidence of the violation  
16 is obtained by a toll collection monitoring system. An owner of a  
17 vehicle shall not be liable if the operator of the vehicle has been  
18 identified and charged with a violation of section 10 of P.L.1951,  
19 c.264 (C.27:23-34) for the same incident.

20 c. A toll collection monitoring system acquired or operated by,  
21 or under contract to, the authority shall be so designed that it does  
22 not produce one or more photographs, microphotographs, a  
23 videotape, or other recorded image or images of the face of the  
24 operator or any passenger in a motor vehicle.  
25 (cf: P.L.2003, c.79, s.37)]<sup>2</sup>

26  
27 <sup>2</sup>[3.] 1.<sup>2</sup> Section 14 of P.L.1951, c.264 (C.27:23-38) is amended  
28 to read as follows:

29 14. <sup>2</sup>[In] Notwithstanding the provisions of P.L.  
30 c. (C. ) (pending before the Legislature as this bill) to the  
31 contrary, in<sup>2</sup> addition to any punishment or penalty provided by  
32 other sections of <sup>2</sup>[this act, sections 7 and 8 of P.L.1997, c.59  
33 (C.27:23-34.2 and C.27:23-34.3), or any other law, rule, regulation,  
34 or order of another state or tolling entity with which the authority or  
35 the <sup>1</sup>[New Jersey Motor Vehicle Commission] Department of  
36 Transportation<sup>1</sup>, on behalf of the authority, has entered into a  
37 reciprocity agreement pursuant to section 4 of P.L.  
38 c. (C. ) (pending before the Legislature as this bill)]  
39 P.L.1951, c.264 (C.27:23-38)<sup>2</sup>, every registration certificate and  
40 every license certificate to drive motor vehicles may be suspended  
41 or revoked and any person may be prohibited from obtaining a  
42 driver's license or a registration certificate and the reciprocity  
43 privileges of a nonresident may be suspended or revoked by the  
44 [Director of the Division of Motor Vehicles] Chief Administrator  
45 of the New Jersey Motor Vehicle Commission for a violation of any  
46 of the provisions of this act, after due notice in writing of such  
47 proposed suspension, revocation, or prohibition and the ground

1    thereof and after the opportunity to be heard in an administrative  
2    proceeding, and otherwise in accordance with the powers, practice,  
3    and procedure established by those provisions of Title 39 of the  
4    Revised Statutes applicable to such suspension, revocation, or  
5    prohibition.

6       <sup>2</sup>[In addition to any punishment or penalty provided by  
7    P.L.1951, c.264 (C.27:23-25 et seq.) and sections 7 and 8 of  
8    P.L.1997, c.59 (C.27:23-34.2 and C.27:23-34.3), the authority or  
9    the <sup>1</sup>[New Jersey Motor Vehicle Commission] Department of  
10   Transportation<sup>1</sup> may collect the civil penalties and tolls imposed by  
11   an out-of-state tolling entity if the authority or the <sup>1</sup>[New Jersey  
12   Motor Vehicle Commission] department<sup>1</sup>, on behalf of the  
13   authority, has entered into a reciprocity agreement pursuant to  
14   section 4 of P.L. , c. (C. ) (pending before the Legislature  
15   as this bill).] Nothing contained herein shall be construed to limit  
16   the authority of the Department of Transportation, pursuant to  
17   section 3 of P.L. , c. (C. ) (pending before the Legislature  
18   as this bill), to collect the civil penalties and tolls imposed by or  
19   direct the suspension of a motor vehicle registration on behalf of the  
20   authority or an out-of-state tolling entity, interstate tolling entity, or  
21   another state with which the department has entered into a  
22   reciprocity agreement with pursuant to section 3 of P.L. ,  
23   c. (C. ) (pending before the Legislature as this bill).<sup>2</sup>  
24   (cf: P.L.1951, c.264, s.14)

25  
26       <sup>2</sup>[4. (New section) The authority or the <sup>1</sup>[New Jersey Motor  
27   Vehicle Commission] Department of Transportation<sup>1</sup> may collect the  
28   civil penalties and tolls imposed by an out-of-state tolling entity if the  
29   authority, or the <sup>1</sup>[New Jersey Motor Vehicle Commission]  
30   department<sup>1</sup> on behalf of the authority, has entered into a reciprocity  
31   agreement with the out-of-state tolling entity or the other state in  
32   which the out-of-state tolling entity is located that confirms the  
33   following:

34       a. The other state or out-of-state tolling entity has its own  
35   reciprocal procedure for collecting penalties and tolls of the authority  
36   by employing sanctions that include denial of a person's ability to  
37   obtain a registration certificate for a motor vehicle;

38       b. The penalties, exclusive of tolls, claimed by the other state or  
39   out-of-state tolling entity against the owner of a motor vehicle  
40   registered in this State does not exceed \$100 for the first violation or  
41   \$600 for each subsequent violation;

42       c. The other state or tolling entity provides due process and  
43   appeal protections to avoid the likelihood that a false, mistaken, or  
44   unjustified claim will be pursued against an owner of a motor vehicle  
45   registered in this State;

46       d. An owner of a motor vehicle registered in this State may  
47   present evidence to the other state or tolling entity by mail, telephone,

1 or electronic means or in-person in an administrative proceeding  
2 before the <sup>1</sup>【New Jersey Motor Vehicle Commission】 Department of  
3 Transportation<sup>1</sup> to invoke the owner's rights to due process, without  
4 having to appear personally in the jurisdiction where the violation is  
5 alleged to have occurred; and

6 e. The parties to the reciprocity agreement each may charge the  
7 other party a fee sufficient for each party to recoup the costs of  
8 collection services, including costs incurred by the <sup>1</sup>【New Jersey  
9 Motor Vehicle Commission】 Department of Transportation<sup>1</sup> or the  
10 agency that registers motor vehicles in the other state.】<sup>2</sup>

11  
12 <sup>2</sup>【5.】 2.<sup>2</sup> Section 21 of P.L.1991, c.252 (C.27:25A-21) is  
13 amended to read as follows:

14 21. a. Except as otherwise provided in subsection a. of section  
15 19 of 【this act】 P.L.1991, c.252 (C.27:25A-19), no vehicle shall be  
16 permitted to make use of any expressway project except upon the  
17 payment of the tolls as may from time to time be prescribed by the  
18 authority. It shall be unlawful for any person to refuse to pay, or to  
19 evade or to attempt to evade the payment of the tolls.

20 b. No vehicle shall be operated on any project carelessly or  
21 recklessly, or in disregard of the rights or safety of others, or  
22 without due caution or prudence, or in a manner so as to endanger  
23 unreasonably or to be likely to endanger unreasonably persons or  
24 property, while the operator thereof is under the influence of  
25 intoxicating liquors or any narcotic or habit-forming drug, nor shall  
26 any vehicle be so constructed, equipped, lacking in equipment,  
27 loaded, or operated in such a condition of disrepair as to endanger  
28 unreasonably or to be likely to endanger unreasonably persons or  
29 property.

30 c. A person operating a vehicle on any project shall operate at a  
31 careful and prudent speed, having due regard to the rights and  
32 safety of others and to the traffic, surface and width of the highway,  
33 and any other conditions then existing; and no person shall operate  
34 a vehicle on any project at a speed as to endanger life, limb, or  
35 property; except that it shall be prima facie lawful for a driver of a  
36 vehicle to operate it at a speed not exceeding a speed limit which is  
37 designated by the authority as a reasonable and safe speed limit,  
38 when appropriate signs giving notice of that speed limit are erected  
39 at the roadside or otherwise posted for the information of operators  
40 of vehicles.

41 d. No person shall operate a vehicle on any project at a slow  
42 speed as to impede or block the normal and reasonable movement  
43 of traffic except when reduced speed is necessary for safe operation  
44 thereof.

45 e. No person shall operate a vehicle on any project in violation  
46 of any speed limit designated by regulation adopted by the  
47 authority.

1 f. All persons operating vehicles upon any project **【must】** shall  
2 at all times comply with any lawful order, signal, or direction by  
3 voice or hand of any police officer engaged in the direction of  
4 traffic upon such project. When traffic on a project is controlled by  
5 traffic lights, signs, or by mechanical or electrical signals, those  
6 lights, signs, and signals shall be obeyed unless a police officer  
7 directs otherwise.

8 g. All persons operating vehicles upon any project, or seeking  
9 to do so, **【must】** shall at all times comply with regulations, not  
10 inconsistent with the other sections of this act, adopted by the  
11 authority concerning types, weights, and sizes of vehicles permitted  
12 to use the project, and with regulations adopted by the authority for  
13 or prohibiting the parking of vehicles, concerning the making of  
14 turns and the use of particular traffic lanes, together with any and  
15 all other regulations adopted by the authority to control traffic and  
16 prohibit acts hazardous in their nature or tending to impede or block  
17 the normal and reasonable flow of traffic upon the project; except  
18 that prior to the adoption of any regulation for the control of traffic  
19 on any project, including the designation of any speed limits, the  
20 authority shall investigate and consider the need for and desirability  
21 of the regulation for the safety of persons and property, including  
22 the authority's property, and the contribution which that regulation  
23 would make toward the efficient and safe handling of traffic and use  
24 of the project, and shall determine that the regulation is necessary  
25 or desirable to accomplish the purposes or one or some of them, and  
26 that upon or prior to the effective date of the regulation and during  
27 its continuance, notice thereof shall be given to the drivers of  
28 vehicles by appropriate signs erected at the roadside or otherwise  
29 posted. The authority may adopt regulations referred to in this  
30 section in accordance with the provisions hereof and in accordance  
31 with the provisions of the "Administrative Procedure Act."  
32 Regulations adopted by the authority pursuant to the provisions of  
33 this section shall insofar as practicable, having due regard to the  
34 features of the project and the characteristics of traffic thereon and  
35 except as to maximum or minimum speed limits, be consistent with  
36 the provisions of Title 39 of the Revised Statutes applicable to  
37 similar subjects. The authority shall have power to amend,  
38 supplement, or repeal any regulation adopted by it under the  
39 provisions of this section. No regulation and no amendment, or  
40 supplement thereto, or repealer thereof adopted by the authority  
41 shall take effect until it is filed with the Office of Administrative  
42 Law, by the filing of a copy thereof certified by the secretary of the  
43 authority.

44 h. The operator of any vehicle upon a project involved in an  
45 incident resulting in injury or death to any person or damage to any  
46 property shall immediately stop the vehicle at the scene of the  
47 incident, render assistance as may be needed, and give his name,  
48 address, and operator's license and motor vehicle registration

1 number to the person injured and to any officer or witness of the  
2 injury and shall make a report of the incident in accordance with  
3 law.

4 i. No person shall transport in or upon any expressway project,  
5 any dynamite, nitroglycerin, black powder, fireworks, blasting caps,  
6 or other explosives, gasoline, alcohol, ether, liquid shellac,  
7 kerosene, turpentine, formaldehyde, or other inflammable or  
8 combustible liquids, ammonium nitrate, sodium chlorate, wet hemp,  
9 powdered metallic magnesium, nitro-cellulose film, peroxides, or  
10 other readily inflammable solids or oxidizing materials,  
11 hydrochloric acid, sulfuric acid, or other corrosive liquids, prussic  
12 acid, phosgene, arsenic, carbolic acid, potassium cyanide, tear gas,  
13 lewisite, or any other poisonous substances, liquids, or gases, or any  
14 compressed gas, or any radioactive article, substance, or material, at  
15 a time or place or in a manner or condition as to endanger  
16 unreasonably or as to be likely to endanger unreasonably persons or  
17 property.

18 j. If the violation of any provision of this section or the  
19 violation of any regulation adopted by the authority under the  
20 provisions of this section would have been a violation of law or  
21 ordinance if committed on any public road, street, or highway in the  
22 municipality in which the violation occurred, it shall be tried and  
23 punished in the same manner as if it had been committed in that  
24 municipality.

25 k. Notwithstanding the provisions of subsection j. of this  
26 section, if the violation of the provisions of subsection i. of this  
27 section shall result in injury or death to a person or persons or  
28 damage to property in excess of the value of \$5,000, that violation  
29 shall constitute a crime of the third degree.

30 l. Except as provided in subsection j. or k. of this section, any  
31 violation of any of the provisions of this section, including but not  
32 limited to those regarding the payment of tolls, and any violation of  
33 any regulation adopted by the authority under the provisions of this  
34 section shall be punishable by a fine not exceeding \$500 or by  
35 imprisonment not exceeding 30 days or by both \$100 for the first  
36 violation and not exceeding \$600 for each subsequent violation. A  
37 violation shall be tried in a summary way and shall be within the  
38 jurisdiction of and may be brought in the Special Civil Part of the  
39 Law Division of the Superior Court or any municipal court in the  
40 county where the offense was committed. <sup>1</sup>【The rules of the  
41 Supreme Court shall govern the practice and procedure in such  
42 proceedings, except as provided by any reciprocity agreement  
43 entered into by the authority or by the New Jersey Motor Vehicle  
44 Commission, on behalf of the authority, pursuant to section 7 of  
45 P.L. , c. (C. ) (pending before the Legislature as this  
46 bill).】<sup>1</sup> Proceedings under this section may be instituted on any day  
47 of the week, and the institution of the proceedings on a Sunday or a  
48 holiday shall be no bar to the successful prosecution thereof. Any

1 process served on a Sunday, or a holiday shall be as valid as if  
2 served on any other day of the week. When imposing any penalty  
3 under the provisions of this subsection the court having jurisdiction  
4 shall be guided by the appropriate provisions of any statute fixing  
5 uniform penalties for violation of provisions of the motor vehicle  
6 and traffic laws contained in Title 39 of the Revised Statutes.

7 m. In any prosecution for violating a regulation of the authority  
8 adopted pursuant to the provisions of this section, copies of that  
9 regulation when authenticated under the seal of the authority by its  
10 secretary or assistant secretary shall be evidence in like manner and  
11 equal effect as the original.

12 n. No resolution or ordinance adopted by the governing body  
13 of any county or municipality for the control and regulation of  
14 traffic shall be applicable to vehicles while upon any expressway  
15 project operated by the authority.

16 o. <sup>2</sup>【In】 Notwithstanding the provisions of P.L. \_\_\_\_\_,  
17 c. (\_\_\_\_\_) (pending before the Legislature as this bill) to the  
18 contrary, in<sup>2</sup> addition to any punishment or penalty provided by  
19 other subsections of this section <sup>2</sup>【, sections 12 and 13 of P.L.1997,  
20 c.59 (C.27:25A-21.2 and C.27:25A-21.3), or any other law, rule,  
21 regulation, or order of another state or tolling entity with which the  
22 authority or the <sup>1</sup>【New Jersey Motor Vehicle Commission】  
23 Department of Transportation<sup>1</sup>, on behalf of the authority, has  
24 entered into a reciprocity agreement pursuant to section 7 of  
25 P.L. \_\_\_\_\_, c. (C.\_\_\_\_\_) (pending before the Legislature as this bill)】<sup>2</sup>,  
26 every registration certificate and every license certificate to drive  
27 motor vehicles may be suspended or revoked and any person may  
28 be prohibited from obtaining a driver's license or a registration  
29 certificate and the reciprocity privileges of a nonresident may be  
30 suspended or revoked by the **【Director of the Division of Motor**  
31 **Vehicles】** Chief Administrator of the New Jersey Motor Vehicle  
32 Commission for a violation of any of the provisions of this section,  
33 after due notice in writing of the proposed suspension, revocation,  
34 or prohibition and the ground thereof and after the opportunity to  
35 be heard during an administrative proceeding, all otherwise in  
36 accordance with the powers, practice, and procedure established by  
37 the provisions of Title 39 of the Revised Statutes applicable to the  
38 suspension, revocation, or prohibition.

39 <sup>2</sup>【In addition to any punishment or penalty provided by this  
40 section and sections 12 and 13 of P.L.1997, c.59 (C.27:25A-21.2  
41 and C.27:25A-21.3), the authority or the <sup>1</sup>【New Jersey Motor  
42 Vehicle Commission】 Department of Transportation<sup>1</sup> may collect  
43 the civil penalties and tolls imposed by an out-of-state tolling entity  
44 if the authority or the <sup>1</sup>【New Jersey Motor Vehicle Commission】  
45 department<sup>1</sup>, on behalf of the authority, has entered into a  
46 reciprocity agreement pursuant to section 7 of  
47 P.L. \_\_\_\_\_, c. (C.\_\_\_\_\_) (pending before the Legislature as this



1 bill).】 Nothing contained herein shall be construed to limit the  
2 authority of the Department of Transportation, pursuant to section 3  
3 of P.L. , c. (C. ) (pending before the Legislature as this  
4 bill), to collect the civil penalties and tolls imposed by or direct the  
5 suspension of a motor vehicle registration on behalf of the authority  
6 or an out-of-state tolling entity, interstate tolling entity, or another  
7 state with which the department has entered into a reciprocity  
8 agreement with pursuant to section 3 of P.L. , c. (C. )  
9 (pending before the Legislature as this bill).<sup>2</sup>

10 p. Except as otherwise provided by this section or by any  
11 regulation of the authority adopted in accordance with the  
12 provisions of this section, the requirements of Title 39 of the  
13 Revised Statutes applicable to persons using, driving, or operating  
14 vehicles on the public highways of this State and to vehicles so  
15 used, driven, or operated shall be applicable to persons using,  
16 driving, or operating vehicles on any expressway project and to  
17 vehicles so used, driven, or operated.

18 (cf: P.L.1991, c.252, s.21)

19  
20 <sup>2</sup>【6.Section 12 of P.L.1997, c.59 (C.27:25A-21.2) is amended to  
21 read as follows:

22 12. a. The authority may, in accordance with the  
23 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
24 seq.), adopt toll collection monitoring system regulations. The  
25 regulations shall include a procedure for processing toll violations  
26 and for the treatment of inadvertent violations. 【A】 In addition to  
27 the penalty provided for in subsection o. of section 21 of P.L.1991,  
28 c.252 (C.27:25A-21), a person who violates the regulations shall be  
29 liable to a civil penalty in an amount not to exceed 【\$500 to be  
30 established by the authority】 \$100 for the first violation and an  
31 amount not to exceed \$600 for each subsequent violation. The  
32 penalty shall be enforced pursuant to the "Penalty Enforcement Law  
33 of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

34 b. Except as provided in subsection b. of section 13 of  
35 P.L.1997, c.59 (C.27:25A-21.3), an owner of a vehicle shall be  
36 jointly and severally liable for the failure of an operator of the  
37 vehicle to comply with the toll collection monitoring system  
38 regulations. The owner of a vehicle shall be liable if such vehicle  
39 was used or operated by the operator with the express or implied  
40 permission of the owner when the violation of the toll collection  
41 monitoring system regulations was committed, and the evidence of  
42 the violation is obtained by a toll collection monitoring system. An  
43 owner of a vehicle shall not be liable if the operator of the vehicle  
44 has been identified and charged with a violation of section 21 of  
45 P.L.1991, c.252 (C.27:25A-21) for the same incident.

46 c. A toll collection monitoring system acquired or operated by,  
47 or under contract to, the authority shall be so designed that it does

1 not produce one or more photographs, microphotographs, a  
2 videotape, or other recorded image or images of the face of the  
3 operator or any passenger in a motor vehicle.

4 (cf: P.L.2003, c.79, s.47)]<sup>2</sup>

5  
6 <sup>2</sup>[7. (New section) The authority or the <sup>1</sup>[New Jersey Motor  
7 Vehicle Commission] Department of Transportation<sup>1</sup> may collect the  
8 civil penalties and tolls imposed by an out-of-state tolling entity if the  
9 authority, or the <sup>1</sup>[New Jersey Motor Vehicle Commission]  
10 department<sup>1</sup> on behalf of the authority, has entered into a reciprocity  
11 agreement with the out-of-state tolling entity or the other state in  
12 which the out-of-state tolling entity is located that confirms the  
13 following:

14 a. The other state or out-of-state tolling entity has its own  
15 reciprocal procedure for collecting penalties and tolls of the authority  
16 by employing sanctions that include denial of a person's ability to  
17 obtain a registration certificate for a motor vehicle;

18 b. The penalties, exclusive of tolls, claimed by the other state or  
19 out-of-state tolling entity against the owner of a motor vehicle  
20 registered in this State does not exceed \$100 for the first violation or  
21 \$600 for each subsequent violation;

22 c. The other state or tolling entity provides due process and  
23 appeal protections to avoid the likelihood that a false, mistaken, or  
24 unjustified claim will be pursued against an owner of a motor vehicle  
25 registered in this State;

26 d. An owner of a motor vehicle registered in this State may  
27 present evidence to the other state or tolling entity by mail, telephone,  
28 or electronic means or in-person in an administrative proceeding  
29 before the <sup>1</sup>[New Jersey Motor Vehicle Commission] Department of  
30 Transportation<sup>1</sup> to invoke the owner's rights to due process, without  
31 having to appear personally in the jurisdiction where the violation is  
32 alleged to have occurred; and

33 e. The parties to the reciprocity agreement each may charge the  
34 other party a fee sufficient for each party to recoup the costs of  
35 collection services, including costs incurred by the <sup>1</sup>[New Jersey  
36 Motor Vehicle Commission] Department of Transportation<sup>1</sup> or the  
37 agency that registers motor vehicles in the other state. ]<sup>2</sup>

38  
39 <sup>2</sup>[8. (New section) a. The Governor is authorized to enter into a  
40 supplemental compact or agreement, on behalf of the State of New  
41 Jersey, with the State of New York supplementing the compact of  
42 April 30, 1921, between the states of New York and New Jersey, as  
43 amended and supplemented, creating the Port Authority of New  
44 York and New Jersey, as set forth in sections 9 and 10 of  
45 P.L. , c. (C. ) (pending before the legislature as this bill).

46 b. The Governor is authorized to apply, on behalf of the State  
47 of New Jersey, to the Congress of the United States for its consent

1 and approval to the amendments to this compact or agreement  
2 provided in sections 9 and 10 of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill), but in the absence of such  
4 consent and approval, the Port Authority of New York and New  
5 Jersey referred to in such supplemental compact or agreement shall  
6 have all of the powers which the State of New York and the State of  
7 New Jersey may confer upon it without the consent and approval of  
8 Congress.】<sup>2</sup>

9  
10 <sup>2</sup>【9.(New section) In addition to any punishment or penalty  
11 provided by any law of the State of New Jersey or the State of New  
12 York concerning the nonpayment of tolls to the port authority, any  
13 rule, regulation, or order of the port authority concerning the  
14 nonpayment of tolls, or any other law, rule, regulation, or order of  
15 another state or tolling entity with which the port authority, or the  
16 New Jersey <sup>1</sup>【Motor Vehicle Commission】 Department of  
17 Transportation<sup>1</sup> or the New York State Department of Motor  
18 Vehicles on behalf of the port authority, has entered into a  
19 reciprocity agreement, any motor vehicle registration certificate  
20 may be suspended or revoked and any person may be prohibited  
21 from obtaining a motor vehicle registration certificate by the Chief  
22 Administrator of the New Jersey Motor Vehicle Commission or the  
23 Commissioner of the New York State Department of Motor  
24 Vehicles for the nonpayment of tolls to the port authority, after due  
25 notice in writing of such proposed suspension, revocation, or  
26 prohibition and the ground thereof and after the opportunity to be  
27 heard in an administrative proceeding.】<sup>2</sup>

28  
29 <sup>2</sup>【10.(New section) The port authority, or the New Jersey  
30 <sup>1</sup>【Motor Vehicle Commission】 Department of Transportation<sup>1</sup> or the  
31 New York State Department of Motor Vehicles on behalf of the port  
32 authority, may collect the civil penalties and tolls imposed by an out-  
33 of-state tolling entity if the port authority, or the New Jersey <sup>1</sup>【Motor  
34 Vehicle Commission】 Department of Transportation<sup>1</sup> or the New  
35 York State Department of Motor Vehicles on behalf of the port  
36 authority, has entered into a reciprocity agreement with the out-of-state  
37 tolling entity or the other state in which the out-of-state tolling entity is  
38 located that confirms the following:

39 a. The other state or out-of-state tolling entity has its own  
40 reciprocal procedure for collecting penalties and tolls of the port  
41 authority by employing sanctions that include denial of a person's  
42 ability to obtain a registration certificate for a motor vehicle;

43 b. The penalties, exclusive of tolls, claimed by the other state or  
44 out-of-state tolling entity against the owner of a motor vehicle  
45 registered in New York or New Jersey does not exceed \$100 for the  
46 first violation or \$600 for each subsequent violation;

1 c. The other state or tolling entity provides due process and  
2 appeal protections to avoid the likelihood that a false, mistaken, or  
3 unjustified claim will be pursued against an owner of a motor vehicle  
4 registered in New York or New Jersey;

5 d. An owner of a motor vehicle registered in New York or New  
6 Jersey may present evidence to the other state or tolling entity by mail,  
7 telephone, or electronic means to invoke the owner's rights to due  
8 process, without having to appear personally in the jurisdiction where  
9 the violation is alleged to have occurred or an owner of a motor  
10 vehicle registered in New Jersey may present evidence in-person in an  
11 administrative proceeding before the New Jersey <sup>1</sup>**[Motor Vehicle**  
12 **Commission]** Department of Transportation<sup>1</sup> to invoke the owner's  
13 rights to due process, without having to appear personally in the  
14 jurisdiction where the violation is alleged to have occurred; and

15 e. The parties to the reciprocity agreement each may charge the  
16 other party a fee sufficient for each party to recoup the costs of  
17 collection services, including costs incurred by the New Jersey  
18 <sup>1</sup>**[Motor Vehicle Commission]** Department of Transportation<sup>1</sup>, the  
19 New York State Department of Motor Vehicles, or the agency that  
20 registers motor vehicles in the other state. **]**<sup>2</sup>

21  
22 <sup>2</sup>**[11. (New section) a. The Governor is authorized to enter**  
23 **into a supplemental compact or agreement, on behalf of the State of**  
24 **New Jersey, with the Commonwealth of Pennsylvania**  
25 **supplementing the compact or agreement between the**  
26 **Commonwealth of Pennsylvania and the State of New Jersey**  
27 **entitled "Agreement Between the Commonwealth of Pennsylvania**  
28 **and the State of New Jersey creating the Delaware River Joint**  
29 **Commission as a body corporate and politic and defining its powers**  
30 **and duties," as set forth in sections 12 and 13 of P.L. , c. (C. )**  
31 **(pending before the Legislature as this bill.**

32 **b. The Governor is authorized to apply, on behalf of the State**  
33 **of New Jersey, to the Congress of the United States for its consent**  
34 **and approval to the amendments to this compact or agreement**  
35 **provided in sections 12 and 13 of P.L. , c. (C. ) (pending**  
36 **before the Legislature as this bill), but in the absence of such**  
37 **consent and approval, the Delaware River Port Authority shall have**  
38 **all of the powers which the Commonwealth of Pennsylvania and the**  
39 **State of New Jersey may confer upon it without the consent and**  
40 **approval of Congress. ]**<sup>2</sup>

41  
42 <sup>2</sup>**[12. (New section) In addition to any punishment or penalty**  
43 **provided by any law of the State of New Jersey or the**  
44 **Commonwealth of Pennsylvania concerning the nonpayment of**  
45 **tolls to the port authority, any rule, regulation, or order of the port**  
46 **authority concerning the nonpayment of tolls, or any other law,**  
47 **rule, regulation, or order of another state or tolling entity with**

1 which the port authority, or the New Jersey <sup>1</sup>【Motor Vehicle  
2 Commission】 Department of Transportation<sup>1</sup> or the Pennsylvania  
3 Department of Transportation on behalf of the port authority, has  
4 entered into a reciprocity agreement, any motor vehicle registration  
5 certificate may be suspended or revoked and any person may be  
6 prohibited from obtaining a motor vehicle registration certificate by  
7 the Chief Administrator of the New Jersey Motor Vehicle  
8 Commission or the Secretary of the Pennsylvania Department of  
9 Transportation for a violation of any law, rule, regulation, or order  
10 governing the nonpayment of tolls to the port authority, after due  
11 notice in writing of such proposed suspension, revocation, or  
12 prohibition and the ground thereof and after the opportunity to be  
13 heard in an administrative proceeding.】<sup>2</sup>

14  
15 <sup>2</sup>【13.(New section) The port authority, or the New Jersey  
16 <sup>1</sup>【Motor Vehicle Commission】 Department of Transportation<sup>1</sup> or the  
17 Pennsylvania Department of Transportation on behalf of the port  
18 authority, may collect the civil penalties and tolls imposed by an out-  
19 of-state tolling entity if the port authority, or the New Jersey <sup>1</sup>【Motor  
20 Vehicle Commission】 Department of Transportation<sup>1</sup> or the  
21 Pennsylvania Department of Transportation on behalf of the port  
22 authority, has entered into a reciprocity agreement with the out-of-state  
23 tolling entity or the other state in which the out-of-state tolling entity is  
24 located that confirms the following:

25 a. The other state or out-of-state tolling entity has its own  
26 reciprocal procedure for collecting penalties and tolls of the port  
27 authority by employing sanctions that include denial of a person's  
28 ability to obtain a registration certificate for a motor vehicle;

29 b. The penalties, exclusive of tolls, claimed by the other state or  
30 out-of-state tolling entity against the owner of a motor vehicle  
31 registered in New Jersey or Pennsylvania does not exceed \$100 for the  
32 first violation or \$600 for each subsequent violation;

33 c. The other state or tolling entity provides due process and  
34 appeal protections to avoid the likelihood that a false, mistaken, or  
35 unjustified claim will be pursued against an owner of a motor vehicle  
36 registered in New Jersey or Pennsylvania;

37 d. An owner of a motor vehicle registered in New Jersey or  
38 Pennsylvania may present evidence to the other state or tolling entity  
39 by mail, telephone, or electronic means to invoke the owner's rights to  
40 due process, without having to appear personally in the jurisdiction  
41 where the violation is alleged to have occurred or an owner of a motor  
42 vehicle registered in New Jersey may present evidence in-person in an  
43 administrative proceeding before the New Jersey <sup>1</sup>【Motor Vehicle  
44 Commission】 Department of Transportation<sup>1</sup> to invoke the owner's  
45 rights to due process, without having to appear personally in the  
46 jurisdiction where the violation is alleged to have occurred; and

1 e. The parties to the reciprocity agreement each may charge the  
2 other party a fee sufficient for each party to recoup the costs of  
3 collection services, including costs incurred by the New Jersey  
4 <sup>1</sup>~~Motor Vehicle Commission~~ Department of Transportation<sup>1</sup>, the  
5 Pennsylvania Department of Transportation, or the agency that  
6 registers motor vehicles in the other state.]<sup>2</sup>

7  
8 <sup>2</sup>~~14.~~ <sup>1</sup>14. (New section)a. The Governor is authorized to enter into  
9 a supplemental compact or agreement, on behalf of the State of New  
10 Jersey, with the Commonwealth of Pennsylvania supplementing the  
11 compact or agreement between the Commonwealth of Pennsylvania  
12 and the State of New Jersey entitled "Agreement Between the State of  
13 New Jersey and the Commonwealth of Pennsylvania creating the  
14 Delaware River Joint Toll Bridge Commission as a body corporate and  
15 politic and defining its powers and duties," as set forth in sections 15  
16 and 16 of P.L. , c. (C. ) (pending before the Legislature as this  
17 bill.

18 b. The Governor is authorized to apply, on behalf of the State of  
19 New Jersey, to the Congress of the United States for its consent and  
20 approval to the amendments to this compact or agreement provided in  
21 sections 15 and 16 of P.L. , c. (C. ) (pending before the  
22 Legislature as this bill), but in the absence of such consent and  
23 approval, the Delaware River Joint Toll Bridge Commission shall have  
24 all of the powers which the Commonwealth of Pennsylvania and the  
25 State of New Jersey may confer upon it without the consent and  
26 approval of Congress.<sup>1</sup> <sup>2</sup>

27  
28 <sup>2</sup>~~15.~~ <sup>1</sup>15. (New section) In addition to any punishment or penalty  
29 provided by any law of the State of New Jersey or the Commonwealth  
30 of Pennsylvania concerning the nonpayment of tolls to the  
31 commission, any rule, regulation, or order of the commission  
32 concerning the nonpayment of tolls, or any other law, rule, regulation,  
33 or order of another state or tolling entity with which the commission,  
34 or the New Jersey Department of Transportation or the Pennsylvania  
35 Department of Transportation on behalf of the commission, has  
36 entered into a reciprocity agreement, any motor vehicle registration  
37 certificate may be suspended or revoked and any person may be  
38 prohibited from obtaining a motor vehicle registration certificate by  
39 the Chief Administrator of the New Jersey Motor Vehicle Commission  
40 or the Secretary of the Pennsylvania Department of Transportation for  
41 a violation of any law, rule, regulation, or order governing the  
42 nonpayment of tolls to the commission, after due notice in writing of  
43 such proposed suspension, revocation, or prohibition and the ground  
44 thereof and after the opportunity to be heard in an administrative  
45 proceeding.<sup>1</sup> <sup>2</sup>

<sup>2</sup>16. (New section) The commission, or the New Jersey Department of Transportation or the Pennsylvania Department of Transportation on behalf of the commission, may collect the civil penalties and tolls imposed by an out-of-state tolling entity if the commission, or the New Jersey Department of Transportation or the Pennsylvania Department of Transportation on behalf of the commission, has entered into a reciprocity agreement with the out-of-state tolling entity or the other state in which the out-of-state tolling entity is located that confirms the following:

a. The other state or out-of-state tolling entity has its own reciprocal procedure for collecting penalties and tolls of the commission by employing sanctions that include denial of a person's ability to obtain a registration certificate for a motor vehicle;

b. The penalties, exclusive of tolls, claimed by the other state or out-of-state tolling entity against the owner of a motor vehicle registered in New Jersey or Pennsylvania does not exceed \$100 for the first violation or \$600 for each subsequent violation;

c. The other state or tolling entity provides due process and appeal protections to avoid the likelihood that a false, mistaken, or unjustified claim will be pursued against an owner of a motor vehicle registered in New Jersey or Pennsylvania;

d. An owner of a motor vehicle registered in New Jersey or Pennsylvania may present evidence to the other state or tolling entity by mail, telephone, or electronic means to invoke the owner's rights to due process, without having to appear personally in the jurisdiction where the violation is alleged to have occurred or an owner of a motor vehicle registered in New Jersey may present evidence in-person in an administrative proceeding before the New Jersey Department of Transportation to invoke the owner's rights to due process, without having to appear personally in the jurisdiction where the violation is alleged to have occurred; and

e. The parties to the reciprocity agreement each may charge the other party a fee sufficient for each party to recoup the costs of collection services, including costs incurred by the New Jersey Department of Transportation, the Pennsylvania Department of Transportation, or the agency that registers motor vehicles in the other state.<sup>1</sup><sup>2</sup>

<sup>1</sup>14. <sup>2</sup>17.<sup>1</sup> (New section) a. The Governor is authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the State of Delaware supplementing the compact or agreement between the State of Delaware and the State of New Jersey known as the "Delaware-New Jersey Compact," as set forth in sections <sup>1</sup>15 <sup>1</sup>18<sup>1</sup> and <sup>1</sup>16 <sup>1</sup>19<sup>1</sup> of P.L. , c. (C. ) (pending before the Legislature as this bill).

b. The Governor is hereby authorized to apply on behalf of the State of New Jersey to the Congress of the United States for its

1 consent and approval to the amendments to this compact or agreement  
2 provided in sections <sup>1</sup>15] 18<sup>1</sup> and <sup>1</sup>16] 19<sup>1</sup> of P.L. , c. (C. )  
3 (pending before the Legislature as this bill), but in the absence of such  
4 consent and approval, the Delaware River and Bay Authority shall  
5 have all the powers the State of Delaware and the State of New Jersey  
6 may confer upon it without the consent and approval of Congress.]<sup>2</sup>

7  
8 <sup>1</sup>15.] <sup>2</sup>18.<sup>1</sup> (New section) In addition to any punishment or  
9 penalty provided by any law of the State of New Jersey or the State  
10 of Delaware concerning the nonpayment of tolls to the authority,  
11 any rule, regulation, or order of the authority concerning the  
12 nonpayment of tolls, or any other law, rule, regulation, or order of  
13 another state or tolling entity with which the authority, or the New  
14 Jersey <sup>1</sup>Motor Vehicle Commission] Department of  
15 Transportation<sup>1</sup> or the Delaware Division of Motor Vehicles on  
16 behalf of the authority, has entered into a reciprocity agreement,  
17 any motor vehicle registration certificate may be suspended or  
18 revoked and any person may be prohibited from obtaining a motor  
19 vehicle registration certificate by the Chief Administrator of the  
20 New Jersey Motor Vehicle Commission or the Director of the  
21 Delaware Division of Motor Vehicles for a violation of any law,  
22 rule, regulation, or order governing the nonpayment of tolls to the  
23 authority, after due notice in writing of such proposed suspension,  
24 revocation, or prohibition and the ground thereof and after the  
25 opportunity to be heard in an administrative proceeding.]<sup>2</sup>

26  
27 <sup>1</sup>16.] <sup>2</sup>19.<sup>1</sup> (New section) The authority, or the New Jersey  
28 <sup>1</sup>Motor Vehicle Commission] Department of Transportation<sup>1</sup> or the  
29 Delaware Division of Motor Vehicles on behalf of the authority, may  
30 collect the civil penalties and tolls imposed by an out-of-state tolling  
31 entity if the authority, or the New Jersey <sup>1</sup>Motor Vehicle  
32 Commission] Department of Transportation<sup>1</sup> or the Delaware Division  
33 of Motor Vehicles on behalf of the authority, has entered into a  
34 reciprocity agreement with the out-of-state tolling entity or the other  
35 state in which the out-of-state tolling entity is located that confirms the  
36 following:

37 a. The other state or out-of-state tolling entity has its own  
38 reciprocal procedure for collecting penalties and tolls of the authority  
39 by employing sanctions that include denial of a person's ability to  
40 obtain a registration certificate for a motor vehicle;

41 b. The penalties, exclusive of tolls, claimed by the other state or  
42 out-of-state tolling entity against the owner of a motor vehicle  
43 registered in New Jersey or Delaware does not exceed \$100 for the  
44 first violation or \$600 for each subsequent violation;

45 c. The other state or tolling entity provides due process and  
46 appeal protections to avoid the likelihood that a false, mistaken, or



1 unjustified claim will be pursued against an owner of a motor vehicle  
2 registered in New Jersey or Delaware;

3 d. An owner of a motor vehicle registered in New Jersey or  
4 Delaware may present evidence to the other state or tolling entity by  
5 mail, telephone, or electronic means to invoke the owner's rights to  
6 due process, without having to appear personally in the jurisdiction  
7 where the violation is alleged to have occurred or an owner of a motor  
8 vehicle registered in New Jersey may present evidence in-person in an  
9 administrative proceeding before the New Jersey <sup>1</sup>["Motor Vehicle  
10 Commission"] Department of Transportation<sup>1</sup> to invoke the owner's  
11 rights to due process, without having to appear personally in the  
12 jurisdiction where the violation is alleged to have occurred; and

13 e. The parties to the reciprocity agreement each may charge the  
14 other party a fee sufficient for each party to recoup the costs of  
15 collection services, including costs incurred by the New Jersey  
16 <sup>1</sup>["Motor Vehicle Commission"] Department of Transportation<sup>1</sup>, the  
17 Delaware Division of Motor Vehicles, or the agency that registers  
18 motor vehicles in the other state.]<sup>2</sup>  
19

20 <sup>2</sup>["<sup>1</sup>20. (New section) In addition to any punishment or penalty  
21 provided by law, or any other law, rule, regulation, or order of another  
22 state or tolling entity with which a county bridge commission or the  
23 Department of Transportation, on behalf of a county bridge  
24 commission, has entered into a reciprocity agreement pursuant to  
25 section 21 of P.L. , c. (C. ) (pending before the Legislature as  
26 this bill), every registration certificate and every license certificate to  
27 drive motor vehicles may be suspended or revoked and any person  
28 may be prohibited from obtaining a driver's license or a registration  
29 certificate and the reciprocity privileges of a nonresident may be  
30 suspended or revoked by the Chief Administrator of the New Jersey  
31 Motor Vehicle Commission for failure to pay a toll of the county  
32 bridge commission, after due notice in writing of such proposed  
33 suspension, revocation, or prohibition and the ground thereof and after  
34 the opportunity to be heard in an administrative proceeding, and  
35 otherwise in accordance with the powers, practice, and procedure  
36 established by those provisions of Title 39 of the Revised Statutes  
37 applicable to such suspension, revocation, or prohibition.

38 In addition to any punishment or penalty provided by law the  
39 county bridge commission or the Department of Transportation may  
40 collect the civil penalties and tolls imposed by an out-of-state tolling  
41 entity if the county bridge commission or the department, on behalf of  
42 the county bridge commission, has entered into a reciprocity  
43 agreement pursuant to section 21 of P.L. , c. (C. ) (pending  
44 before the Legislature as this bill).<sup>1</sup><sup>2</sup>  
45

46 <sup>2</sup>["<sup>1</sup>21. (New section) A county bridge commission or the  
47 Department of Transportation may collect the civil penalties and tolls

1 imposed by an out-of-state tolling entity if the county bridge  
2 commission, or the department on behalf of the county bridge  
3 commission, has entered into a reciprocity agreement with the out-of-  
4 state tolling entity or the other state in which the out-of-state tolling  
5 entity is located that confirms the following:

6 a. The other state or out-of-state tolling entity has its own  
7 reciprocal procedure for collecting penalties and tolls of the  
8 commission by employing sanctions that include denial of a person's  
9 ability to obtain a registration certificate for a motor vehicle;

10 b. The penalties, exclusive of tolls, claimed by the other state or  
11 out-of-state tolling entity against the owner of a motor vehicle  
12 registered in this State does not exceed \$100 for the first violation or  
13 \$600 for each subsequent violation;

14 c. The other state or tolling entity provides due process and  
15 appeal protections to avoid the likelihood that a false, mistaken, or  
16 unjustified claim will be pursued against an owner of a motor vehicle  
17 registered in this State;

18 d. An owner of a motor vehicle registered in this State may  
19 present evidence to the other state or tolling entity by mail, telephone,  
20 or electronic means or in-person in an administrative proceeding  
21 before the Department of Transportation to invoke the owner's rights  
22 to due process, without having to appear personally in the jurisdiction  
23 where the violation is alleged to have occurred; and

24 e. The parties to the reciprocity agreement each may charge the  
25 other party a fee sufficient for each party to recoup the costs of  
26 collection services, including costs incurred by the Department of  
27 Transportation or the agency that registers motor vehicles in the other  
28 state.<sup>1</sup><sup>2</sup>

29  
30 <sup>2</sup>3. (New section) a. As used in P.L. , c. (C. ) (pending  
31 before the Legislature as this bill):

32 "Chief administrator" means the Chief Administrator of the New  
33 Jersey Motor Vehicle Commission.

34 "Commission" means the New Jersey Motor Vehicle  
35 Commission.

36 "Commissioner" means the Commissioner of Transportation.

37 "Department" means the Department of Transportation.

38 "New Jersey tolling entity" shall include the New Jersey  
39 Turnpike Authority, established pursuant to section 3 of P.L.1948,  
40 454 (C.27:23-3), the South Jersey Transportation Authority,  
41 established pursuant to section 4 of P.L.1991, c.252 (C.27:25A-4),  
42 any county commission, established pursuant to R.S.27:19-36, or  
43 any interstate tolling entity with which New Jersey is a member of  
44 the enabling compact and has entered into a reciprocity agreement  
45 with the department for the purposes of toll enforcement that  
46 authorizes the department to suspend or deny motor vehicle  
47 registration privileges for toll violators in accordance with the

1 provisions of P.L. , c. (C. ) (pending before the  
2 Legislature as this bill).

3 b. Notwithstanding the provisions of any other law, the  
4 department may establish and administer a system of monitoring,  
5 adjudicating, and enforcing the collection of motor vehicle tolls  
6 imposed by each New Jersey tolling entity that shall include  
7 provisions for notice, an opportunity to be heard and appeal, and the  
8 suspension of motor vehicle registrations.

9 c. Upon receipt by the department of notification from a New  
10 Jersey tolling entity, the department may direct the commission to  
11 suspend the motor vehicle registration of the owner of a motor  
12 vehicle that has accumulated: unpaid tolls and fees collectively  
13 totaling \$500 or more over the past three years; or six or more  
14 unpaid toll violations, with at least one violation having occurred  
15 after the effective date of P.L. , c. (C. ) (pending before  
16 the Legislature as this bill).

17 Upon notification from a New Jersey tolling entity that a motor  
18 vehicle registration meets the threshold for suspension, the  
19 department may direct the suspension even if the unpaid tolls and  
20 fees are thereafter reduced below \$500 by a partial satisfaction of  
21 the outstanding toll amounts. The suspension shall remain in effect  
22 until the department is satisfied that the entirety of all outstanding  
23 tolls and fees are paid, dismissed, reversed on appeal or stayed, or  
24 that the violator has entered into a payment agreement with the  
25 department, provided, however, that the motor vehicle registration  
26 may be suspended subsequent to entering into a payment agreement  
27 for noncompliance with the repayment agreement.

28 d. Prior to directing the suspension of a motor vehicle  
29 registration, the department shall provide the registered owner with  
30 written notice, by first class mail to the address of the owner, of the  
31 department's intent to seek suspension of the motor vehicle  
32 registration and shall afford the owner due process and appeal  
33 protections in a manner sufficient to address whether the suspension  
34 is based on a false, mistaken, or unjustified claim. If the registered  
35 owner fails to dispute or satisfy such unpaid tolls, fees, and costs or  
36 if, after an administrative hearing before the department, the owner  
37 has not demonstrated that the claim is false, mistaken, or  
38 unjustified, the department shall direct suspension of the owner's  
39 motor vehicle registration.

40 e. The department may direct the commission to suspend the  
41 registration of a motor vehicle upon receiving notification from an  
42 out-of-state tolling entity, interstate tolling entity, or another state  
43 of unpaid toll violations, pursuant to the terms and conditions of a  
44 reciprocity agreement entered into between the department and the  
45 out-of-state tolling entity, interstate tolling entity, or other state.

46 f. The department may enter into reciprocal agreements with  
47 out-of-state tolling entities, interstate tolling entities, or other states  
48 to implement a system of unpaid toll collections and enforcement,

1 providing for the suspension of New Jersey motor vehicle  
2 registrations for the non-payment of tolls and fees assessed by an  
3 out-of-state or interstate tolling entity or another state and the  
4 allocation of administrative expenses. The reciprocal agreement  
5 shall include provisions confirming the following:

6 (1) The out-of-state tolling entity, interstate tolling entity, or  
7 other state has its own reciprocal procedures for collecting tolls and  
8 fees due to New Jersey tolling entities by employing sanctions that  
9 include denial of a person's ability to obtain a registration  
10 certificate for a motor vehicle;

11 (2) The penalties, exclusive of tolls, claimed by the out-of-state  
12 tolling entity, interstate tolling entity, or other state against the  
13 owner of a motor vehicle registered in this State does not exceed  
14 \$100 for the first violation or \$600 for each subsequent violation;

15 (3) The out-of-state tolling entity, interstate tolling entity, or  
16 other state provides due process and appeal protections to address  
17 whether a claim pursued against an owner of a motor vehicle  
18 registered in this State is false, mistaken, or unjustified;

19 (4) An owner of a motor vehicle registered in this State may  
20 present evidence to the out-of-state tolling entity, interstate tolling  
21 entity, or other state by mail, telephone, or electronic means or in-  
22 person in an administrative proceeding before the department to  
23 invoke the owner's rights to due process, without having to appear  
24 personally in the jurisdiction where the violation is alleged to have  
25 occurred; and

26 (5) The parties to the reciprocity agreement each may charge the  
27 other party a fee sufficient for each party to recoup the costs of  
28 collection services, including costs incurred by the department or  
29 the agency that registers motor vehicles in the other state.

30 g. In any proceeding authorized by this section, documents  
31 obtained from a New Jersey tolling entity, the commission, the out-  
32 of-state tolling entity, the interstate tolling entity, or another state,  
33 or their agents, shall be admissible into evidence to support the  
34 unpaid toll violations and shall constitute documents of the  
35 department. The department's certification that it has obtained  
36 documents and information from a New Jersey tolling entity, the  
37 commission, the out-of-state tolling entity, the interstate tolling  
38 entity, or another state shall be prima facie proof of the facts  
39 contained in the documents.

40 h. Notwithstanding any of the provisions of this section to the  
41 contrary, no suspension may be imposed more than three years after  
42 the violation is committed.

43 i. The department, in consultation with the New Jersey tolling  
44 entities, shall establish an amnesty program that permits the  
45 reduction of 25 percent of unpaid tolls of \$500 or more if all  
46 outstanding tolls are otherwise paid in their entirety. The amnesty  
47 program shall be open to all violators with cumulative unpaid tolls  
48 of \$500 or more incurred prior to the effective date of P.L. , c.

1 (C. ) (pending before the Legislature as this bill), except that  
2 the amnesty program shall end 180 days after the effective date of  
3 P.L. , c. (C. ) (pending before the Legislature as this  
4 bill).

5 j. The department may supplement the authority bestowed  
6 upon it under this section with any other existing statutory or  
7 administrative authority conferred on the department, the  
8 commission, and the New Jersey tolling entities, and these agencies  
9 shall have the power to enter into interagency agreements to  
10 implement the provisions of P.L. , c. (C. ) (pending  
11 before the Legislature as this bill).

12 k. Any tolls and fees collected shall be paid directly to the  
13 relevant New Jersey tolling entity, out-of-state tolling entity,  
14 interstate tolling entity, or other state, and no tolls and fees  
15 collected by the department, as an agent of the New Jersey tolling  
16 entities, pursuant to this section, or as an agent of the out-of-state  
17 tolling entity, interstate tolling entity, or other state, pursuant to a  
18 reciprocity agreement, shall be remitted to the General Fund.

19 Nothing contained herein shall be construed to limit the ability of  
20 a New Jersey tolling entity to recoup unpaid tolls, fees, and costs by  
21 any means available under civil or criminal judicial process, or  
22 through debt collection activities, or any other available statutory,  
23 regulatory, or civil mechanisms.

24 Notwithstanding any of the provisions of this section to contrary,  
25 the department may negotiate interagency agreements with each  
26 New Jersey tolling entity and may include provisions in reciprocity  
27 agreements with out-of-state tolling entities, interstate tolling  
28 entities, or other states to fund the administrative expenses of the  
29 department in enforcing collection of tolls and fees under P.L. , c.  
30 (C. ) (pending before the Legislature as this bill).

31 The department shall establish minimum fees related to the  
32 administration of P.L. , c. (C. ) (pending before the  
33 Legislature as this bill), which may be increased at the discretion of  
34 the department and shall include:

35 (1) A filing fee to appeal the unpaid tolls and fees that form the  
36 basis of the notice of pending registration suspension; and

37 (2) A filing fee to appeal any suspension decision or order of the  
38 department to the Office of Administrative Law.

39 l. The department, each New Jersey tolling entity, and the  
40 commission, working cooperatively under the direction and  
41 coordination of the department, may, after providing 30 days'  
42 notice for the purpose of receiving public comment, to adopt, via an  
43 administrative order entered by the commissioner, the New Jersey  
44 tolling entity, or the chief administrator, respectively,  
45 administrative regulations providing standards and procedures  
46 implementing this act notwithstanding any provision of the  
47 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
48 seq.). The administrative orders shall be effective for up to 18

1 months from the effective date of P.L. , c. (C. )  
2 (pending before the Legislature as this bill), unless the department,  
3 the New Jersey tolling entities, or the commission, respectively,  
4 adopt regulations pursuant to the provisions of the "Administrative  
5 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), prior to that  
6 date.<sup>2</sup>

7  
8 <sup>2</sup>~~1~~~~[17.] 22.~~<sup>1</sup> a. Sections 1 through 7 of this] 4. This<sup>2</sup> act  
9 shall take effect immediately.

10 <sup>2</sup>~~b.~~Sections 8 through 10 of this act shall take effect upon the  
11 enactment into law by the State of New York of legislation having  
12 an identical effect as sections 8 through 10 of this act; but if the  
13 State of New York shall already have enacted such legislation,  
14 sections 8 through 10 of this act shall take effect immediately.

15 c. Sections 11 through 13 of this act shall take effect upon the  
16 enactment into law by the Commonwealth of Pennsylvania of  
17 legislation having an identical effect with sections 11 through 13 of  
18 this act; but if the Commonwealth of Pennsylvania shall already  
19 have enacted such legislation, sections 11 through 13 of this act  
20 shall take effect immediately.

21 d. <sup>1</sup>Sections 14 through 16 of this act shall take effect upon the  
22 enactment into law by the Commonwealth of Pennsylvania of  
23 legislation having an identical effect with sections 14 through 16 of  
24 this act; but if the Commonwealth of Pennsylvania shall already  
25 have enacted such legislation, sections 14 through 16 of this act  
26 shall take effect immediately.

27 e.<sup>1</sup> Sections <sup>1</sup>~~[14]~~ 17<sup>1</sup> through <sup>1</sup>~~[16]~~ 19<sup>1</sup> of this act shall take  
28 effect upon the enactment into law by the State of Delaware of  
29 legislation having an identical effect with sections <sup>1</sup>~~[14]~~ 17<sup>1</sup>  
30 through <sup>1</sup>~~[16]~~ 19<sup>1</sup> of this act; but if the State of Delaware shall  
31 already have enacted such legislation, sections <sup>1</sup>~~[14]~~ 17<sup>1</sup> through  
32 <sup>1</sup>~~[16]~~ 19<sup>1</sup> of this act shall take effect immediately.

33 <sup>1</sup>f. Sections 20 and 21 of this act shall take effect  
34 immediately.<sup>1</sup><sup>2</sup>