

# SENATE, No. 3330

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 11, 2021

**Sponsored by:**

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

**District 18 (Middlesex)**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Senators T.Kean, Singleton and Turner**

**SYNOPSIS**

Extends timeframe for receiving certain documents issued by MVC under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/21/2021)**

1 AN ACT extending the timeframe for receiving certain documents  
2 issued by the New Jersey Motor Vehicle Commission, amending  
3 P.L.1964, c.163 and R.S.39:10-11, and supplementing Title 39 of  
4 the Revised Statutes.

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

8  
9 1. Section 1 of P.L.1964, c.163 (C.39:3-30.3) is amended to  
10 read as follows:

11 1. a. Any motor vehicles registered in the name of any  
12 decedent may be operated, upon the public highways of this State,  
13 by a duly licensed driver who is, or is authorized to drive the same  
14 by, the surviving spouse or other member of the family of said  
15 decedent, under and by virtue of the registration certificate of such  
16 motor vehicle issued to such decedent, for a period of not exceeding  
17 30 days after the death of such decedent.

18 b. Notwithstanding any provision of subsection a. of this  
19 section to the contrary, during a state of emergency declared by the  
20 Governor, if a person inherits a motor vehicle from a decedent and  
21 is required to schedule an appointment with the New Jersey Motor  
22 Vehicle Commission to register the motor vehicle in the person's  
23 name, the person may operate the motor vehicle until the date of the  
24 appointment regardless of whether the date of the appointment is  
25 more than 30 days after the death of the decedent. This subsection  
26 shall only apply if the person inheriting the motor vehicle from the  
27 decedent schedules an appointment to register the motor vehicle in  
28 the person's name within 30 days of the death of the decedent.

29 (cf: P.L.1964, c.163, s.1)

30

31 2. R.S.39:10-11 is amended to read as follows:

32 39:10-11. A. The purchaser of a motor vehicle in this State,  
33 other than a dealer licensed pursuant to the provisions of R.S.39:10-  
34 19, shall, within 10 working days after its purchase, submit to the  
35 **【director】** chief administrator evidence of the purchase. Upon  
36 presentation to the **【director】** chief administrator of the certificate  
37 of origin, or certificate of ownership, or bill of sale issued prior to  
38 October 1, 1946, with proper assignment and certification of the  
39 seller, a record of the transaction shall be made and filed. A  
40 certificate of ownership shall be issued by the **【director】** chief  
41 administrator and delivered to the buyer, in case of a sale not  
42 subject to a security interest, and the **【director】** chief administrator  
43 shall collect a fee of \$20 for the issuance and filing thereof.

44 Notwithstanding any provision of this subsection to the contrary,  
45 during a state of emergency declared by the Governor, if the

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 purchaser of a motor vehicle is required to schedule an appointment  
2 with the New Jersey Motor Vehicle Commission to submit evidence  
3 of the purchase of the motor vehicle, the purchaser shall submit  
4 evidence of the purchase at the date of the appointment, regardless  
5 of whether the date of the appointment is more than 10 working  
6 days after the purchase of the motor vehicle. This provision shall  
7 only apply if the purchaser schedules an appointment to submit  
8 evidence of the purchase of the motor vehicle within 10 working  
9 days after the purchase.

10 B. In the case of a sale subject to a security interest, a certificate  
11 of ownership, with the name and address of the holder of the  
12 encumbrance or secured party or his assignee recorded thereon,  
13 shall be delivered to the holder of the encumbrance or secured party  
14 or his assignee and a copy thereof shall be delivered to the buyer.  
15 The **【director】** chief administrator shall collect a fee of \$30 for his  
16 services in issuing a certificate and copy thereof, and for making a  
17 record of and filing the record of the transaction, pursuant to this  
18 subsection.

19 C. Except as hereinafter in this section otherwise expressly  
20 provided, whenever a security interest is created in a motor vehicle,  
21 other than a security interest which is required to be noted on the  
22 certificate of origin or the certificate of ownership, as provided in  
23 R.S.39:10-8 and R.S.39:10-9, there shall be filed with the  
24 **【director】** chief administrator the certificate of ownership of the  
25 motor vehicle, together with a financing statement on a form  
26 prescribed by the **【director】** chief administrator. The **【director】**  
27 chief administrator shall make and file a record of the transaction  
28 and shall issue a certificate of ownership, recording the name and  
29 address of the secured party or his assignee thereon, and shall  
30 deliver it to the secured party or his assignee. A copy of the  
31 certificate of ownership so issued shall be delivered to the buyer.  
32 The **【director】** chief administrator shall collect a fee of \$20 for his  
33 services in issuing a certificate and copy thereof and for making a  
34 record of and filing the record of the transaction, pursuant to this  
35 subsection.

36 D. The financing statement required to be filed pursuant to  
37 subsection C. hereof shall be signed only by the buyer, shall not be  
38 required to be acknowledged or proved, and shall show, in addition  
39 to such matters as the **【director】** chief administrator may require for  
40 the proper identification of the motor vehicle affected, the date of  
41 the security agreement, and the names and addresses of the parties  
42 thereto. Nothing in this section **【39:10-11 contained】** shall be  
43 construed as requiring that the security agreement or a copy thereof,  
44 or any proof of execution thereof other than that contained in the  
45 financing statement, shall be presented to the **【director】** chief  
46 administrator. When the buyer is a corporation, it shall be  
47 sufficient if the financing statement is signed by any officer thereof,

1 or by any agent designated by the corporation for that purpose, and  
2 it shall not be necessary that the financing statement recite the  
3 authorization of the agent. When there is more than one buyer, it  
4 shall be sufficient if the financing statement is signed by any one of  
5 them.

6 E. Nothing in subsections C. and D. of this section shall apply to  
7 security interests in motor vehicles which constitute inventory held  
8 for sale, but such interests shall be subject to chapter 9 of Title 12A  
9 of the New Jersey Statutes, nor shall anything in the said  
10 subsections apply to interests in personal property subject to chapter  
11 28 of Title 46 of the Revised Statutes.

12 F. In addition to the fees elsewhere in this section provided for,  
13 there shall be paid to the **【director】** chief administrator at the time a  
14 certificate of ownership is issued a fee of \$10 for notice of  
15 satisfaction of the lien or encumbrance of the record or abstract, or  
16 of the termination of the security interest, where the motor vehicle  
17 is subject to a lien or encumbrance or a security interest as provided  
18 in R.S.39:10-14.

19 G. Notwithstanding any other provision of this chapter, when  
20 any dealer licensed under the provisions of R.S.39:10-19 is the  
21 purchaser of a motor vehicle in this State, he may, within 10  
22 working days after its purchase, submit to the **【director】** chief  
23 administrator the evidence of purchase. Upon presentation of the  
24 certificate of ownership with proper assignment and certification of  
25 the seller to the **【director】** chief administrator, a record of the  
26 transaction shall be made and filed. A certificate of ownership shall  
27 be issued by the **【director】** chief administrator and delivered to  
28 such purchaser, and the **【director】** chief administrator shall collect a  
29 fee of \$10 for the issuing and filing thereof.

30 If a dealer does not submit the evidence of purchase, upon resale  
31 of the motor vehicle he shall execute and attach to the certificate of  
32 ownership a dealer reassignment certificate. The **【director】** chief  
33 administrator shall issue dealer reassignment certificates in lots  
34 upon payment of a fee of \$10 for each certificate.

35 H. Any purchaser of a motor vehicle who fails to comply with  
36 the provisions of this section shall pay to the **【director】** chief  
37 administrator a penalty of \$25 plus the issuing and filing fee.

38 I. The failure of any person to comply with the requirements of  
39 this section shall not constitute a misdemeanor within the  
40 provisions of R.S.39:10-24, nor shall such failure affect the validity  
41 of any instrument creating or reserving a security interest in a motor  
42 vehicle, as between the parties to such instrument.

43 J. The notation of the name and business or residence address of  
44 a secured party or his assignee, on the certificate of origin or on the  
45 certificate of ownership, as provided in R.S.39:10-8 and R.S.39:10-  
46 9, and the presentation to the **【director】** chief administrator, in  
47 accordance with R.S.39:10-11, of the certificate of origin or

1 certificate of ownership so noted, and the compliance with the  
2 requirements of subsections C. and D. of R.S.39:10-11 shall be in  
3 lieu of all filing requirements imposed by chapter 9 of Title 12A of  
4 the New Jersey Statutes and shall constitute the perfection of a  
5 security interest in the motor vehicle, and the rights and remedies of  
6 the debtors and the secured parties in respect to such security  
7 interest shall, except as otherwise expressly provided in this  
8 chapter, be subject to and governed by chapter 9 of Title 12A of the  
9 New Jersey Statutes.

10 (cf: P.L.1994, c.60, s.26)

11  
12 3. (New section) a. During a state of emergency declared by  
13 the Governor, if a customer is required to schedule an appointment  
14 with the New Jersey Motor Vehicle Commission to renew a  
15 document, the expiration date of the document subject to renewal  
16 shall be automatically extended until the date of the appointment  
17 except as otherwise required by federal law.

18 b. The commission shall issue documentation to the customer  
19 extending the expiration date of the document in accordance with  
20 the provisions of subsection a. of this section.

21 c. This section shall apply to all documents that are required to  
22 be renewed in-person and by appointment-only at a commission  
23 agency. This section shall only apply if a customer schedules an  
24 appointment to renew a document prior to the expiration date listed  
25 on the document.

26  
27 4. This act shall take effect immediately.

## 28 29 30 STATEMENT

31  
32 This bill extends the timeframe for receiving certain documents  
33 issued by the New Jersey Motor Vehicle Commission (commission)  
34 during a state of emergency declared by the Governor.

35 Under the bill, if, during a state of emergency declared by the  
36 Governor, a person is required to schedule an appointment to  
37 register a motor vehicle that the person inherits, the person is  
38 authorized to operate the motor vehicle until the date of the  
39 appointment without obtaining a new registration for the motor  
40 vehicle, instead of for a maximum period of 30 days after the  
41 decedent's death. For this exception to apply, the person is required  
42 to schedule the appointment within 30 days of the death of the  
43 decedent.

44 If, during a state of emergency declared by the Governor, the  
45 purchaser of a motor vehicle is required to schedule an appointment  
46 with the commission to submit evidence of the purchase of a motor  
47 vehicle, the purchaser is required to submit this evidence at the date  
48 of the appointment, instead of within 10 working days after the

1 purchase. For this exception to apply, the purchaser is required to  
2 schedule the appointment within 10 working days after the  
3 purchase.

4 The bill further provides that during a state of emergency  
5 declared by the Governor, if a customer is required to schedule an  
6 appointment to renew a document, the expiration date of the  
7 document is to be automatically extended until the date of the  
8 appointment. The commission is required to issue documentation to  
9 the customer that extends the expiration date of the document as  
10 provided in the bill. This provision of the bill is to apply to all  
11 documents that are required to be renewed in-person and by  
12 appointment-only at a commission agency. This provision only  
13 applies if a customer schedules an appointment to renew a  
14 document before the date that the document expires.