

ASSEMBLY, No. 627

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman IMPREVEDUTO and Assemblywoman QUIGLEY

1 AN ACT concerning correction officers and amending R.S.39:5-25.

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

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6 1. R.S.39:5-25 is amended to read as follows:

7 39:5-25. Any constable, sheriff's officer, police officer, peace
8 officer, state correction officer, county correction officer, or the
9 director may, without a warrant, arrest any person violating in his
10 presence any provision of chapter 3 of this Title, or any person, other
11 than a motorman or person having control of a street car or auto bus,
12 running upon a route approved by the Board of Public Utilities,
13 violating in his presence any provision of chapter 4 of this Title. The
14 exemption from arrest of a motorman or person having control of a
15 street car or auto bus, as conferred herein, shall not operate to prevent
16 his arrest, however, for a violation of R.S.39:4-50. The arresting
17 officer shall bring any person so arrested before any judge of the
18 municipal court of the municipality wherein the offense is committed,
19 or before the director at any place designated as his office. If the
20 arrest is for a violation of R.S.39:4-50, the arresting officer may, if no
21 judge, clerk or deputy clerk is available, detain the person arrested,
22 either in any police station, lockup or other place maintained by any
23 municipality for the detention of offenders or in the common jail of the
24 county, for such reasonable time as will permit the arresting officer to
25 obtain a warrant for the offender's further detention, which temporary
26 detention shall not exceed 24 hours from the time of the arrest. If the
27 arrest is for a violation of any other provision of this subtitle, the
28 person arrested shall be detained in the police station or municipal
29 court until the arresting officer makes a complaint and a warrant
30 issues.

31 Any constable, sheriff's officer, police officer, peace officer, state
32 correction officer, county correction officer, or the director may,

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 instead of arresting an offender as herein provided, serve upon him a
2 summons.

3 (cf: P.L.1983, c.563, s.1)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill authorizes State and county correction officers to serve a
11 summons upon or, without a warrant, arrest any person violating in his
12 presence provisions of Chapters 3 and 4 of Title 39, the State motor
13 vehicle code. These chapters deal generally with licensing registration,
14 equipment and traffic laws. Currently, constables, sheriff's officers,
15 police officers, peace officers, and the Director of the Division of
16 Motor Vehicles have this authority.

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Authorizes correction officers to enforce motor vehicle laws.