

ASSEMBLY, No. 924

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ROCCO

1 AN ACT concerning commercial motor vehicles and amending
2 R.S.39:3-20.

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

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7 1. R.S.39:3-20 is amended to read as follows:

8 39:3-20. For the purpose of this act, gross weight means the
9 weight of the vehicle or combination of vehicles, including load or
10 contents.

11 a. The director is authorized to issue registrations for commercial
12 motor vehicles other than omnibuses or motor-drawn vehicles upon
13 application therefor and payment of a fee based on the gross weight of
14 the vehicle, including the gross weight of all vehicles in any
15 combination of vehicles of which the commercial motor vehicle is the
16 drawing vehicle. The gross weight of a disabled commercial vehicle
17 or combination of disabled commercial vehicles being removed from
18 a highway shall not be included in the calculation of the registration
19 fee for the drawing vehicle.

20 Except as otherwise provided in this subsection, every registration
21 for a commercial motor vehicle other than an omnibus or motor-drawn
22 vehicle shall expire and the certificate thereof shall become void on the
23 last day of the [eleventh] twelfth calendar month following the month
24 in which the certificate was issued. The minimum registration fee for
25 registrations issued after July 1, 1984 shall be as follows:

26 For vehicles not in excess of 5,000 pounds, \$53.50.

27 For vehicles in excess of 5,000 pounds and not in excess of 18,000
28 pounds, \$53.50 plus \$8.50 for each 1,000 pounds or portion thereof
29 in excess of 5,000 pounds.

30 For vehicles in excess of 18,000 pounds and not in excess of 50,000
31 pounds, \$53.50 plus \$9.50 for each 1,000 pounds or portion thereof
32 in excess of 5,000 pounds.

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 For vehicles in excess of 50,000 pounds, \$53.50 plus \$10.50 for
2 each 1,000 pounds or portion thereof in excess of 5,000 pounds.

3 Commercial motor vehicles other than omnibuses or motor-drawn
4 vehicles for which commercial motor vehicle registrations had been
5 issued prior to the effective date of this act and which expire March
6 31, 1982 shall be issued commercial registrations, which, in the
7 director's discretion, shall expire on a date to be fixed by him, which
8 date shall not be sooner than four months nor later than 16 months
9 following the date of issuance of the registration. The fees for such
10 registrations shall be fixed by the director in amounts proportionately
11 less or greater than the fees established by this subsection.

12 b. The director is also authorized to issue registrations for
13 commercial motor vehicles having three or more axles and a gross
14 weight over 40,000 pounds but not exceeding 70,000 pounds, upon
15 application therefor and proof to the satisfaction of the director that
16 the applicant is actually engaged in construction work or in the
17 business of supplying material, transporting material, or using such
18 registered vehicle for construction work.

19 Except as otherwise provided in this subsection, every registration
20 for these commercial motor vehicles shall expire and the certificate
21 thereof shall become void on the last day of the [~~eleventh~~] twelfth
22 calendar month following the month in which the certificate was
23 issued.

24 The registration fee for registrations issued after July 1, 1984 shall
25 be \$19.50 for each 1,000 pounds or portion thereof.

26 For purposes of calculating this fee, weight means the gross weight,
27 including the gross weight of all vehicles in any combination of which
28 such commercial motor vehicle is the drawing vehicle. "Constructor"
29 registrations issued prior to the effective date of this act, which expire
30 June 30, 1982, shall be issued contractor vehicle registrations, which,
31 in the director's discretion, shall expire on a date to be fixed by him,
32 which date shall not be sooner than four months nor later than 16
33 months following the date of issuance of the registration. The fees for
34 the registrations shall be fixed by the director in amounts
35 proportionately less or greater than the fees established by this
36 subsection.

37 Such commercial motor vehicle shall be operated in compliance
38 with the speed limitations of Title 39 of the Revised Statutes and shall
39 not be operated at a speed greater than 30 miles per hour when one or
40 more of its axles has a load which exceeds the limitations prescribed
41 in R.S.39:3-84.

42 c. The director is also authorized to issue registrations for each of
43 the following solid waste vehicles: two-axle vehicles having a gross
44 weight not exceeding 42,000 pounds; tandem three-axle and four-axle
45 vehicles having a gross weight not exceeding 60,000 pounds; four-axle
46 tractor-trailer combination vehicles having a gross weight not

1 exceeding 60,000 pounds. Registration is based upon application to
2 the director and proof to his satisfaction that the applicant is actually
3 engaged in the performance of solid waste disposal or collection
4 functions and holds a certificate of convenience and necessity therefor
5 issued by the Board of Public Utilities.

6 Except as otherwise provided in this subsection, every registration
7 for a solid waste vehicle shall expire and the certificate thereof shall
8 become void on the last day of the [~~eleventh~~] twelfth calendar month
9 following the month in which the certificate was issued.

10 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
11 pounds or portion thereof in excess of 5,000 pounds.

12 Solid waste vehicles for which commercial motor vehicle
13 registrations had been issued prior to the effective date of this act and
14 which shall expire June 30, 1982 shall be issued solid waste
15 registrations, which, in the director's discretion, shall expire on a date
16 to be fixed by him, which date shall not be sooner than four months or
17 later than 16 months following the date of issuance of the registration.
18 The fees for the registrations shall be fixed by the director in amounts
19 proportionately less or greater than the fees established by this
20 subsection.

21 d. The director is also authorized to issue registrations for
22 commercial motor-drawn vehicles upon application therefor. The
23 registration year for commercial motor-drawn vehicles shall be April
24 1 to the following March 31 and the fee therefor shall be \$18.00 for
25 each such vehicle.

26 At the discretion of the director, an applicant for registration for a
27 commercial motor-drawn vehicle may be provided the option of
28 registering such vehicle for a period of four years. In the event that
29 the applicant for registration exercises the four-year option, a fee of
30 \$64.00 for each such vehicle shall be paid to the director in advance.

31 If any commercial motor-drawn vehicle registered for a four-year
32 period is sold or withdrawn from use on the highways, the director
33 may, upon surrender of the vehicle registration and plate, refund
34 \$16.00 for each full year of unused prepaid registration.

35 e. It shall be unlawful for any vehicle or combination of vehicles
36 registered under this act, having a gross weight, including load or
37 contents, in excess of the gross weight provided on the registration
38 certificate to be operated on the highways of this State.

39 The owner, lessee, bailee or any one of the aforesaid of a vehicle or
40 combination of vehicles, including load or contents, found or operated
41 on any public road, street or highway or on any public or quasi-public
42 property in this State with a gross weight of that vehicle or
43 combination of vehicles, including load or contents, in excess of the
44 weight limitation permitted by the certificate of registration for the
45 vehicle or combination of vehicles, pursuant to the provisions of this
46 section, shall be assessed a penalty of \$500.00 plus an amount equal

1 to \$100.00 for each 1,000 pounds or fractional portion of 1,000
2 pounds of weight in excess of the weight limitation permitted by the
3 certificate of registration for that vehicle or combination of vehicles.
4 A vehicle or combination of vehicles for which there is no valid
5 certificate of registration is deemed to have been registered for zero
6 pounds for the purposes of the enforcement of this act, in addition to
7 any other violation of this Title, but is not deemed to be lawfully or
8 validly registered pursuant to the provisions of this Title.

9 This section shall not be construed to supersede or repeal the
10 provisions of section 39:3-84, 39:4-75, or 39:4-76 of this Title.

11 f. In addition to the registration fees imposed pursuant to this
12 section, the director shall impose and collect an additional fee of \$35
13 for every registration for a commercial motor vehicle, other than an
14 omnibus, motor-drawn vehicle or non-commercial truck registered
15 pursuant to section 2 of P.L.1968, c.439 (C.39:3-8.1), having a gross
16 weight of 10,000 pounds or more. All fees collected by the director
17 shall be forwarded to the State Treasurer for deposit in a special
18 nonlapsing fund. Moneys in the fund shall be used exclusively by the
19 Department of Law and Public Safety for enforcement of laws and
20 regulations governing commercial motor vehicles, except that the fees
21 collected shall be allocated first to the division to defray the costs
22 necessary to implement the provisions of this subsection.

23 (cf: P.L.1994, c.60, s.32)

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25 2. This act shall take effect immediately.

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STATEMENT

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30 This bill eliminates the 11-month cycle for the registration of
31 commercial motor vehicles. Under the provisions of this bill, these
32 vehicles would be registered on the same 12-month cycle as passenger
33 vehicles.

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38 Provides for 12-month registration cycle for commercial motor
39 vehicles.