

[Passed Both Houses]

ASSEMBLY, No. 2057

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Assemblymen DeCROCE, BUCCO and
Assemblywoman Murphy

1 AN ACT concerning the operation of certain commercial vehicles and
2 amending 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 section, 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 calendar month following the month in which
24 the certificate was issued; provided, however, that the director may
25 require registrations which shall expire, and issue certificates thereof
26 which shall become void, on a date fixed by the director, which shall
27 not be sooner than three months or later than 26 months after the date
28 of issuance of such certificates, and the fees for such registrations or
29 registration applications, including any other fees or charges collected
30 in connection with the registration fee, shall be fixed by the director in

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 amounts proportionately less or greater than the fees established by
2 law. The director may fix the expiration date for registration
3 certificates at a date other than 11 months if the director determines
4 that such change is necessary, appropriate or convenient in order to
5 aid in implementing the vehicle inspection requirements of chapter 8
6 of Title 39 or for other good cause. The minimum registration fee
7 shall be as follows:

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

9 For vehicles in excess of 5,000 pounds and not in excess of 18,000
10 pounds, \$53.50 plus \$11.50 for each 1,000 pounds or portion thereof
11 in excess of 5,000 pounds.

12 For vehicles in excess of 18,000 pounds and not in excess of 50,000
13 pounds, \$53.50 plus \$12.50 for each 1,000 pounds or portion thereof
14 in excess of 5,000 pounds.

15 For vehicles in excess of 50,000 pounds, \$53.50 plus \$13.50 for
16 each 1,000 pounds or portion thereof in excess of 5,000 pounds.

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

24 Except as otherwise provided in this subsection, every registration
25 for these commercial motor vehicles shall expire and the certificate
26 thereof shall become void on the last day of the eleventh calendar
27 month following the month in which the certificate was issued;
28 provided, however, that the director may require registrations which
29 shall expire, and issue certificates thereof which shall become void on
30 a date fixed by the director, which shall not be sooner than three
31 months or later than 26 months after the date of issuance of such
32 certificates, and the fees for such registrations or registration
33 applications, including any other fees or charges collected in
34 connection with the registration fee, shall be fixed by the director in
35 amounts proportionately less or greater than the fees established by
36 law. The director may fix the expiration date for registration
37 certificates at a date other than 11 months if the director determines
38 that such change is necessary, appropriate or convenient in order to
39 aid in implementing the vehicle inspection requirements of chapter 8
40 of Title 39 or for other good cause.

41 The registration fee shall be \$22.50 for each 1,000 pounds or
42 portion thereof.

43 For purposes of calculating this fee, weight means the gross weight,
44 including the gross weight of all vehicles in any combination of which
45 such commercial motor vehicle is the drawing vehicle.

46 Such commercial motor vehicle shall be operated in compliance

1 with the speed limitations of Title 39 of the Revised Statutes and shall
2 not be operated at a speed greater than [30] 45 miles per hour when
3 one or more of its axles has a load which exceeds the limitations
4 prescribed in R.S.39:3-84.

5 c. The director is also authorized to issue registrations for each of
6 the following solid waste vehicles: two-axle vehicles having a gross
7 weight not exceeding 42,000 pounds; tandem three-axle and four-axle
8 vehicles having a gross weight not exceeding 60,000 pounds; four-axle
9 tractor-trailer combination vehicles having a gross weight not
10 exceeding 60,000 pounds. Registration is based upon application to
11 the director and proof to his satisfaction that the applicant is actually
12 engaged in the performance of solid waste disposal or collection
13 functions and holds a certificate of convenience and necessity therefor
14 issued by the Department of Environmental Protection.

15 Except as otherwise provided in this subsection, every registration
16 for a solid waste vehicle shall expire and the certificate thereof shall
17 become void on the last day of the eleventh calendar month following
18 the month in which the certificate was issued.

19 The registration fee shall be \$50 plus \$11.50 for each 1,000 pounds
20 or portion thereof in excess of 5,000 pounds.

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 for each
25 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 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 \$16
34 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 plus an amount equal to

1 \$100 for each 1,000 pounds or fractional portion of 1,000 pounds of
2 weight in excess of the weight limitation permitted by the certificate
3 of registration for that vehicle or combination of vehicles. A vehicle
4 or combination of vehicles for which there is no valid certificate of
5 registration is deemed to have been registered for zero pounds for the
6 purposes of the enforcement of this act, in addition to any other
7 violation of this Title, but is not deemed to be lawfully or validly
8 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. Of the registration fees collected by the director pursuant to this
12 section for vehicles with gross vehicle weights in excess of 5,000
13 pounds, an amount equal to \$3 per 1,000 pounds or portion thereof in
14 excess of 5,000 pounds for each registration shall be forwarded to the
15 State Treasurer for deposit in the Commercial Vehicle Enforcement
16 Fund established pursuant to section 17 of this act (C.39:8-75).
17 Moneys in the fund shall be used by the Department of Law and Public
18 Safety and the Department of Transportation for enforcement of laws
19 and regulations governing commercial motor vehicles.

20 (cf: P.L. 1995, c.157, s.34)

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22 2. This act shall take effect on the first day of the third month
23 following enactment.

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STATEMENT

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28 This bill amends R.S. 39:3-20 to increase the legal speed limit for
29 certain commercial vehicles.

30 Under current law, Class 41 construction vehicles, which are
31 commercial vehicles having three or more axles and a gross weight
32 over 40,000, but not exceeding 70,000 pounds, may not be operated
33 at a speed greater than 30 miles per hour.

34 This amendatory bill would increase the permissible speed limit for
35 such vehicles to 45 miles per hour.

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40 _____
Increases legal speed limit for certain commercial vehicles to 45 mph.