

ASSEMBLY, No. 2121

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Assemblymen CONNORS and MORAN

1 AN ACT providing for the issuance of certain license plates for the  
2 purpose of supporting certain maritime history or marine life  
3 preservation projects for the coastal area of the State and  
4 supplementing chapter 3 of Title 39 of the Revised Statutes.

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

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9 1. The Legislature finds and declares that:

10 a. Maritime history and marine life are important parts of the  
11 State's heritage and the enjoyment of its prized resource, the New  
12 Jersey shore and coastline;

13 b. The Barnegat Bay Decoy and Baymen's Museum is a unique and  
14 valuable resource for recording and preserving the history and artifacts  
15 of coastal bay life, such as sea-faring vessels and boating memorabilia  
16 dating from at least the last century, including schooners, brigantines  
17 and sloops built in bay ports like Tuckerton, New Jersey, home-built  
18 sneakboxes , and skillfully hand carved duck decoys;

19 c. The Barnegat Bay Decoy and Baymen's Museum serves as a  
20 centerpiece for the economic revitalization of the Barnegat bay area as  
21 a coastal cultural and recreational tourist center from which the entire  
22 State can benefit; and

23 d. The Barnegat Bay Decoy and Baymen's Museum and other  
24 important and valuable maritime history and marine life preservation  
25 projects merit a stable funding source, particularly if it is provided by  
26 those individuals who prize and take pride in these valuable resources.

27 The Legislature therefore determines that creating special license  
28 plates provides an individual with the opportunity to support these  
29 resources, advertise their availability and popularity, and provide a  
30 stable source of funding paid for through a voluntary but  
31 administratively efficient system sponsored by the State.

32

33 2. As used in this act:

34 "Accounts" means the "Barnegat Bay Decoy and Baymen's Museum  
35 Account" and the "Maritime History and Marine Life Preservation  
36 Project Account" created pursuant to section 6 of this act;

37 "Commissioner" means the Commissioner of Environmental

1 Protection;

2 "Department" means the Department of Environmental Protection;

3 "Director" means the Director of the Division of Motor Vehicles in  
4 the Department of Law and Public Safety;

5 "Division" means the Division of Motor Vehicles in the Department  
6 of Transportation.

7

8 3. The Director of the Division of Motor Vehicles shall, upon  
9 proper application therefor, issue Barnegat Bay Decoy and Baymen's  
10 Museum license plates or such other maritime history or marine life  
11 preservation project license plates as the Department of Environmental  
12 Protection selects pursuant to section 4 of this act for any motor  
13 vehicle owned or leased and registered in the State. In addition to the  
14 registration number and other markings or identification otherwise  
15 prescribed by law, the license plate shall display words or a slogan and  
16 an emblem indicating support for, or an interest in, the Barnegat Bay  
17 Decoy and Baymen's Museum or a maritime history or marine life  
18 preservation project selected by the department pursuant to section 4  
19 of this act. The words or slogan and emblem shall be chosen by the  
20 director, who shall solicit, in conjunction with the Legislature, input  
21 from the general public on the design of the plate and shall review the  
22 submissions prior to choosing the design. Issuance of special license  
23 plates in accordance with this section shall be subject to the provisions  
24 of chapter 3 of Title 39 of the Revised Statutes, except as hereinafter  
25 otherwise specifically provided.

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27 4. a. The department shall, pursuant to the "Administrative  
28 Procedure Act," P.L.1968, c.410 (C.58:14B-1 et seq.), establish the  
29 criteria and process for selection of maritime history or marine life  
30 preservation projects to be supported by special license plates issued  
31 pursuant to section 3 of this act, the procedures for awarding of  
32 grants, and the limitation on the amount of individual grants from the  
33 Maritime History and Marine Life Preservation Project Account  
34 created pursuant to section 6 of this act.

35 b. Following adoption of these rules and regulations, the  
36 department shall select the project or projects to be selected for  
37 special license plates issued pursuant to section 3 of this act, after  
38 consultation with the director regarding the estimated costs of issuing  
39 those special license plates and the potential revenues therefrom, and  
40 include the selection and grant allocation in the department's budget  
41 request.

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43 5. a. Application for issuance of a license plate authorized  
44 pursuant to section 3 of this act shall be made to the division on forms  
45 and in a manner as may be prescribed by the director. In order to be  
46 deemed complete, an application shall be accompanied by a fee of \$50

1 payable to the division , which fee shall be in addition to all fees  
2 otherwise required by law for the registration of the motor vehicle.

3 b. The annual fee for the registration certificate of a motor vehicle  
4 that has been issued a license plate authorized in section 3 of this act,  
5 pursuant to the provisions of this act, shall include in each year  
6 subsequent to the year of issuance a Barnegat Bay Decoy and  
7 Baymen's Museum license plate fee or a maritime history or marine life  
8 preservation project license plate fee in the amount of \$10, which fee  
9 shall be in addition to all fees otherwise required by law for the  
10 renewal of the registration of the motor vehicle and shall be collected  
11 by the division and, as provided in section 6 of this act, deposited into  
12 the respective accounts created pursuant to section 6 of this act.

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14 6. a. There are created in the Department of Environmental  
15 Protection two special non-lapsing accounts to be known as the  
16 "Barnegat Bay Decoy and Baymen's Museum Account" and the  
17 "Maritime History and Marine Life Preservation Project Account."  
18 There shall be deposited into each of the accounts, the amounts  
19 collected from license plate fees collected pursuant to section 5 of this  
20 act, less the amounts necessary to reimburse the division for  
21 administrative costs pursuant to section 7 of this act, as follows:

22 (1) the amount collected from Barnegat Bay Decoy and Baymen's  
23 Museum license plate fees shall be deposited in the Barnegat Bay  
24 Decoy and Baymen's Museum Account; and

25 (2) the amount collected from other maritime history or marine life  
26 preservation project license plate fees shall be deposited in the  
27 Maritime History and Marine Life Preservation Project Account.

28 b. Monies deposited in the accounts shall be dedicated to the  
29 purposes set forth in section 8 of this act. Monies deposited in the  
30 accounts shall be held in interest-bearing accounts in public  
31 depositories as defined pursuant to section 1 of P.L.1970, c.236  
32 (C.17:9-41), and may be invested or reinvested in such securities as  
33 are approved by the State Treasurer. Interest or other income earned  
34 on monies deposited into the accounts , and any monies which may be  
35 appropriated or otherwise become available for the purposes of the  
36 accounts , shall be credited to and deposited in the accounts for use as  
37 set forth in this act.

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39 7. a. Prior to the deposit of license plate fees collected pursuant  
40 to section 5 of this act into the accounts, amounts thereof as are  
41 necessary shall be used to reimburse the division for all costs  
42 reasonably and actually incurred, as stipulated by the director, for  
43 producing, issuing, renewing, making computer programming changes  
44 in connection with and publicizing the availability of Barnegat Bay  
45 Decoy and Baymen's Museum and other maritime history or marine life  
46 preservation project license plates.

1       b. The director shall annually certify to the commissioner the  
2 average cost per license plate incurred in the immediately preceding  
3 year by the division in producing, issuing, renewing, making computer  
4 programming changes in connection with and publicizing the  
5 availability of Barnegat Bay Decoy and Baymen's Museum and other  
6 maritime history or marine life preservation project license plates. The  
7 annual certification of the average cost per license plate shall be  
8 approved by the Joint Budget Oversight Committee, or its successor.

9       c. In the event that the average cost per license plate as certified by  
10 the director and approved by the Joint Budget Oversight Committee,  
11 or its successor, is greater than the \$50 application fee established in  
12 subsection a. of section 5 of this act in two consecutive fiscal years,  
13 the director may discontinue the issuance of Barnegat Bay Decoy and  
14 Baymen's Museum and other maritime history or marine life  
15 preservation project license plates.

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17       8. a. The Governor shall include in the annual budget  
18 recommendations to the Legislature, pursuant to section 11 of  
19 P.L.1944, c.112 (C.52:27B-20), a recommendation for an  
20 appropriation from the accounts created pursuant to section 6 of this  
21 act for the purposes set forth in this section. The Legislature shall  
22 annually appropriate to the department from the first \$600,000 in  
23 license plate fees collected pursuant to section 5 of this act and  
24 deposited in the accounts:

25       (1) An amount not to exceed \$400,000 for a grant to the Barnegat  
26 Bay Decoy and Baymen's Museum for the purposes of supporting and  
27 maintaining the museum, to be appropriated from the Barnegat Bay  
28 Decoy and Baymen's Museum Account created pursuant to section 6  
29 of this act; and

30       (2) An amount not to exceed \$200,000 for a grant to an agency,  
31 group, organization or individual responsible for a maritime history or  
32 marine life preservation project selected by the department as eligible  
33 for a special license plate issued pursuant to section 3 of this act, to be  
34 appropriated from the Maritime History and Marine Life Preservation  
35 Project Account created pursuant to section 6 of this act and allocated  
36 as provided in the rules and regulations adopted pursuant to section 4  
37 of this act .

38       b. If an amount less than \$600,000 is collected from license plate  
39 fees pursuant to section 5 of this act in any given year, the amounts  
40 provided in paragraphs (1) and (2) of subsection a. of this section shall  
41 be reduced proportionately.

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43       9. The director shall notify eligible motorists of the opportunity to  
44 obtain special license plates authorized in section 3 of this act by  
45 including a notice with all motor vehicle registration renewals, and by  
46 posting appropriate posters or signs in all division facilities and offices,

1 as may be provided by the department. The notices, posters, and signs  
2 shall be designed by the commissioner. The designs shall be subject to  
3 the approval of the director, and the commissioner shall supply the  
4 division with the notices, posters, and signs to be circulated or posted  
5 by that division.

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7 10. The commissioner, the director, and the State Treasurer shall  
8 develop and enter into an interagency memorandum of agreement  
9 setting forth the procedures to be followed by the department and the  
10 division in carrying out their respective responsibilities under this act.

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12 11. This act shall take effect on the 180th day after enactment, but  
13 the Commissioner of Environmental Protection, the State Treasurer  
14 and the Director of the Division of Motor Vehicles may take such  
15 anticipatory acts in advance of that date as may be necessary for the  
16 timely implementation of this act upon the effective date thereof.

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19 STATEMENT

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21 This bill directs the Division of Motor Vehicles (DMV) to establish  
22 Barnegat Bay Decoy and Baymen's Museum and other specially  
23 designated maritime history or marine life preservation projects license  
24 plates. The special plates would contain markings or identification  
25 expressing the vehicle owner's interest in supporting the Barnegat Bay  
26 Decoy and Baymen's Museum or other Department of Environmental  
27 Protection designated maritime history or marine life protection  
28 projects. The Director of the Division of Motor Vehicles would select  
29 the design of the license plate, after soliciting, in conjunction with the  
30 Legislature, input from the general public and reviewing the  
31 submissions before choosing the design. A \$50 fee would be charged  
32 for the issuance of the plates, and an additional \$10 fee would be  
33 collected for each annual renewal.

34 Costs incurred by the DMV, in producing, issuing, renewing, and  
35 publicizing Barnegat Bay Decoy and Baymen's Museum and other  
36 maritime history or marine life preservation project license plates, as  
37 annually certified by the director, would be defrayed from fees  
38 collected.

39 The bill directs DMV to include in all mailings of motor vehicle  
40 registration renewals a notice on the availability of the special license  
41 plates. Finally, the bill requires the Joint Budget Oversight Committee  
42 to approve the Division of Motor Vehicle's annual certification of the  
43 average cost to produce, issue and renew a license plate. If the  
44 average annual cost exceeds \$50 for two consecutive fiscal years, the  
45 division may discontinue the issuance of these license plates.

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3 Establishes certain special license plates and maritime history and

4 marine life protection license plate program; provides that fee monies

5 be appropriated to DEP for certain projects.