

ASSEMBLY, No. 2301

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 16, 1996

By Assemblywoman ALLEN and Assemblyman DeSOPO

1 AN ACT concerning police vehicles and supplementing chapter 4 of
2 Title 39 of the Revised Statutes.

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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. a. The Division of State Police or a county or municipal police
8 department or force shall not use unmarked vehicles for the routine
9 stopping or apprehension of motorists for violations of the motor
10 vehicle laws. This requirement shall not limit or preclude the use of
11 unmarked police vehicles to stop or apprehend motorists under
12 circumstances presenting a substantial threat to the public safety or for
13 other purposes authorized by law or regulation.

14 b. As used in this act, "unmarked vehicle" means a motor vehicle
15 operated by a police agency which lacks the standard colors, insignia
16 and other markings of the agency's standard patrol vehicles.

17 c. The Superintendent of State Police shall adopt rules, pursuant
18 to the "Administrative Procedure Act," P.L.1968,c.410 (C.52:14B-1
19 et seq.), necessary to carry out the purposes of this act, including
20 criteria for determining what constitutes "routine stopping or
21 apprehension."

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23 2. This act shall take effect immediately.

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STATEMENT

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28 The use of unmarked cars by criminals posing as police officers in
29 order to prey on law abiding motorists has been reported with
30 disturbing frequency. Consequently many motorists, particularly
31 women, feel great trepidation when approached by an unmarked
32 vehicle whose driver attempts to make them stop their vehicles.

33 The purpose of this bill is to allay these anxieties in some measure
34 by prohibiting the use of unmarked cars in routine traffic stops by the
35 State Police and local police departments. This prohibition should
36 serve to relieve the fears and contribute to the safety of motorists,
37 particularly women, who are approached by unmarked vehicles on the

1 streets and highways of this State.

2 This bill would in no way limit the use of unmarked vehicles by the
3 police under circumstances presenting a substantial threat to the public
4 safety or for other purposes authorized under law or regulation. The
5 use of unmarked cars for routine traffic stops by the New York State
6 Police was recently prohibited by executive order of the Governor of
7 that state.

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12 Prohibits use of unmarked police vehicles for routine traffic stops.