

[First Reprint]
ASSEMBLY, No. 2708

STATE OF NEW JERSEY

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By Assemblymen ASSELTA, GIBSON, Lance,
Blee, Holzapfel and Augustine

1 AN ACT concerning motor vehicles and amending P.L.1964, c.172 and
2 ¹[P.L.1972, c.197] supplementing chapter 21 of Title 2C of the
3 New Jersey Statutes¹ .
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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
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8 1. Section 1 of P.L.1964, c.172 (C.39:3-38.1) is amended to read
9 as follows:

10 1. Any person who:

11 a. Keeps in his possession or conceals any falsely made, forged,
12 altered or counterfeited certificate of registration, [or] driver's license
13 or insurance identification card, knowing the same to be falsely made,
14 altered, forged or counterfeited with the intent to use the same
15 unlawfully; or

16 b. Exhibits to a police officer or judge in accordance with
17 R.S.39:3-29 any falsely made, altered, forged or counterfeited motor
18 vehicle certificate of registration, [or] driver's license or insurance
19 identification card, knowing the same to be falsely made, altered,
20 forged or counterfeited; or

21 c. Exhibits to any person, for purposes of identification, any falsely
22 made, altered, forged or counterfeited motor vehicle certificate of
23 registration or driver's license, knowing the same to be falsely made,
24 altered, forged or counterfeited, and representing the same as a
25 certificate or license lawfully issued to him by the Director of Motor
26 Vehicles, is guilty of a disorderly persons offense.

27 d.¹[A person who knowingly produces, sells, offers or exposes for
28 sale a document, printed form or other writing which simulates an
29 insurance identification card is guilty of a disorderly persons offense.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted November 17, 1997.

1 e.]¹ A person convicted under this section shall be¹ [ordered by the
2 court to perform community service for a period of 30 days and the
3 court shall assess against the person] assessed by the court¹ two
4 motor vehicle points pursuant to P.L.1982, c.43 (C.39:5-30.6).
5 (cf: P.L.1983, c.403, s.11).

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7 ¹[2. Section 2 of P.L.1972, c.197 (C.39:6B-2) is amended to read
8 as follows:

9 2. Any owner or registrant of a motor vehicle registered or
10 principally garaged in this State who operates or causes to be operated
11 a motor vehicle upon any public road or highway in this State without
12 motor vehicle liability insurance coverage required by this act, and any
13 operator who operates or causes a motor vehicle to be operated and
14 who knows or should know from the attendant circumstances that the
15 motor vehicle is without motor vehicle liability insurance coverage
16 required by this act shall be subject, for the first offense, to a fine of
17 ~~[\$300.00]~~ \$500 and a period of community service to be determined
18 by the court, and shall forthwith forfeit his right to operate a motor
19 vehicle over the highways of this State for a period of one year from
20 the date of conviction. Upon subsequent conviction, he shall be
21 subject to a fine of ~~[\$500.00]~~ \$1,000 and shall be subject to
22 imprisonment for a term of 14 days and shall be ordered by the court
23 to perform community service for a period of 30 days, which shall be
24 of such form and on such terms as the court shall deem appropriate
25 under the circumstances, and shall forfeit his right to operate a motor
26 vehicle for a period of two years from the date of his conviction, and,
27 after the expiration of said period, he may make application to the
28 Director of the Division of Motor Vehicles for a license to operate a
29 motor vehicle, which application may be granted at the discretion of
30 the director. The director's discretion shall be based upon an
31 assessment of the likelihood that the individual will operate or cause
32 a motor vehicle to be operated in the future without the insurance
33 coverage required by this act. A complaint for violation of this act
34 may be made to a municipal court at any time within six months after
35 the date of the alleged offense.

36 Failure to produce at the time of trial an insurance identification
37 card or an insurance policy which was in force for the time of
38 operation for which the offense is charged, creates a rebuttable
39 presumption that the person was uninsured when charged with a
40 violation of this section.

41 [Notwithstanding any provision of P.L.1972, c.197 (C.39:6B-1 et
42 seq.), any person who violates the provisions of that act, from
43 October 1, 1990 through January 31, 1991, shall not be subject to any
44 of the penalties or sanctions provided for a first violation of that act
45 if that person produces at the time of trial an insurance identification
46 card or a motor vehicle liability insurance policy which is in force at

1 the time of the trial and the conviction for that person's offense would
2 be the person's first conviction for an offense under that act. The
3 Commissioner of Insurance shall appropriately promote and advertise
4 this limited time amnesty program for first-time offenses under that act
5 throughout the State.]

6 (cf: P.L.1990, c.8, s.49)]¹

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8 ¹2. (New section) A person who knowingly produces, sells, offers
9 or exposes for sale a document, printed form or other writing which
10 simulates a motor vehicle insurance identification card is guilty of a
11 crime of the fourth degree. In addition to any other penalty imposed,
12 a person convicted under this section shall be ordered by the court to
13 perform community service for a period of 30 days¹

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15 3. This act shall take effect on the first day of the third month
16 following enactment.

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21 Criminalizes possession, sale of phony auto insurance identification
22 cards.