

ASSEMBLY, No. 2981

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1997

By Assemblywomen QUIGLEY, CRECCO, Assemblymen
Imprevuduto, Dalton, R. Smith, Assemblywoman Cruz-Perez,
Assemblyman Roberts, Assemblywoman Turner, Assemblymen
Bagger, Kelly, Charles, Assemblywoman Buono, Assemblymen
Barnes, Brown, Cohen, Greenwald, Assemblywoman Pou,
Assemblymen Caraballo, Stanley, LeFevre, Assemblywoman
Heck, Assemblymen Holzapfel, Wolfe, Assemblywoman
Weinberg, Assemblymen Zisa, Gusciora, Romano, Garcia,
Doria, Wisniewski and Jones

1 AN ACT concerning motor vehicles and amending P.L.1985, c.14 and
2 repealing section 11 of P.L.1985, c.14.

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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. Section 5 of P.L.1985, c.14 (C.39:4-139.6) is amended to read
8 as follows:

9 5. The municipal court shall immediately upon expiration of time
10 to answer or appear, with respect to residents of New Jersey, follow
11 the procedures set forth in R. 7:6-3(a) of the Rules Governing the
12 Courts of the State of New Jersey. These procedures include the
13 mailing of a notice of offense or a failure to appear notice to
14 defendant. That notice shall be on a form approved by the
15 Administrative Director of the Courts and shall inform the defendant
16 of the parking offense charged; the time and date of the parking
17 offense; the amount of fines, penalties and costs due; of his right to
18 have a hearing; that a civil judgment may be entered against him for
19 failure to appear or pay the amount due; **[and]** that his **[driver's license**
20 **may be suspended; that his driving privileges may be revoked]**
21 application for renewal of a motor vehicle registration may be denied;
22 and that a warrant may be issued for his arrest.

23 The procedures set forth in R. 7:6-3(c) of the Rules Governing the
24 Courts of the State of New Jersey shall be followed in the case of a
25 nonresident.

26 (cf: P.L.1985, c.14, s.5)

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 2. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to read
2 as follows:

3 9. a. If a person has failed to respond to a failure to appear notice
4 or has failed to pay a parking judgment, the municipal court may give
5 notice of that fact to the division in a manner prescribed by the
6 director. If notice has been given under this section of a person's
7 failure to respond to a failure to appear notice or to pay a parking
8 judgment and if the fines and penalties are paid or if the case is
9 dismissed or otherwise disposed of, the municipal court shall promptly
10 give notice to that effect to the division.

11 b. ~~【The judge or the division may suspend the driver's license of】~~
12 At least 30 days prior to the expiration date of a motor vehicle
13 registration, the director shall notify an [owner, lessee, or operator]
14 applicant for renewal who has not answered or appeared in response
15 to a failure to appear notice, or has not paid or otherwise satisfied
16 outstanding parking fines or penalties, that the director shall not issue
17 the renewal until the outstanding parking fine or penalties are satisfied.

18 c. ~~【The division shall keep a record of a suspension ordered by the~~
19 ~~court pursuant to subsection b. of this section.】 Deleted by~~
20 ~~amendment, P.L. , c. (now pending before the Legislature as this~~
21 ~~bill).~~

22 (cf: P.L.1985, c.14, s.9)

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24 3. Section 10 of P.L.1985, c.14 (C.39:4-139.11) is amended to
25 read as follows:

26 2. a. When a person whose ~~【license】~~ motor vehicle registration has
27 not been [suspended] renewed pursuant to subsection b. of section 9
28 of this act satisfies the fines and any penalties imposed by the court,
29 the court director shall forward to the division a notice 【to restore the
30 person's driver's license】 stating that the fines and penalties have been
31 satisfied.

32 b. Upon receiving a notice 【to restore】 pursuant to subsection a. of
33 this section, the division shall 【record the restoration and notify the
34 person of the restoration】 renew the person's registration upon
35 payment of the applicable fees.

36 (cf: P.L.1985, c.14, s.10)

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38 4. Section 11 of P.L.1985, c.14 (C.39:4-139.12) is hereby
39 repealed.

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41 5. This act shall take effect immediately.

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STATEMENT

This bill prohibits the Director of the Division of Motor Vehicles from renewing the motor vehicle registration of any person with outstanding parking fines or penalties, or who has not answered or appeared in response to a failure to appear notice. Under current law, the director or the municipal court has the power to order the suspension of the driver's license of any person who does not pay a fine or who does not answer or respond to a failure to appear notice. The bill also requires the director to give at least 30 days notice that the person's registration will not be renewed.

Prohibits person who fails to pay parking fines from renewing vehicle registration.