

§2
C. 2C:21-2.1a
§3
Note To
§§1,2

P.L. 1997, CHAPTER 385, *approved January 19, 1998*
Senate, No. 1739 (*First Reprint*)

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.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
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 R.S.
17 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.

30 e.]¹ A person convicted under this section shall be ¹[ordered by the

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 court to perform community service for a period of 30 days and the
2 court shall assess against the person] assessed by the court¹ two motor
3 vehicle points pursuant to P.L.1982, c.43 (C.39:5-30.6).

4 (cf: P.L.1983, c.403, s.11)

5
6 ¹[2. Section 2 of P.L.1972, c.197 (C.39:6B-2) is amended to read
7 as follows:

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

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

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

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

5 (cf: P.L.1990, c.8, s.49)]¹

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7 ¹2. (New section) A person who knowingly produces, sells, offers
8 or exposes for sale a document, printed form or other writing which
9 simulates a motor vehicle insurance identification card is guilty of a
10 crime of the fourth degree. In addition to any other penalty imposed,
11 a person convicted under this section shall be ordered by the court to
12 perform community service for a period of 30 days.¹

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

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