

§1 Note To §§2-10
Title 13 Chapter 11A
(New) Maritime
History and Marine
Life Preservation
Projects
§§ 2,4,6,8,10
C. 13:11A-1 To
13:11A-5 & Note To
39:3-27.86 et seq.
§§3,5,7,9
C. 39:3-27.86 To
39:3-27.89
§11 Note To §§1-10

P.L. 1997, CHAPTER 74, *approved April 17, 1997*
Senate, No. 211 (*First Reprint*)

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.
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

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.

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 Senate SSG committee amendments adopted May 9, 1996.

1 2. As used in this act:

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

5 "Commissioner" means the Commissioner of Environmental
6 Protection;

7 "Department" means the Department of Environmental Protection;

8 "Director" means the Director of the Division of Motor Vehicles in
9 the Department of ¹[Law and Public Safety] Transportation¹;

10 "Division" means the Division of Motor Vehicles in the Department
11 of ¹[Law and Public Safety] Transportation¹.

12

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

31

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

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

1 5. a. Application for issuance of a license plate authorized
2 pursuant to section 3 of this act shall be made to the division on forms
3 and in a manner as may be prescribed by the director. In order to be
4 deemed complete, an application shall be accompanied by a fee of \$50
5 payable to the division , which fee shall be in addition to all fees
6 otherwise required by law for the registration of the motor vehicle.

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

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

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

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

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

42
43 7. a. Prior to the deposit of license plate fees collected pursuant
44 to section 5 of this act into the accounts, amounts thereof as are
45 necessary shall be used to reimburse the division for all costs
46 reasonably and actually incurred, as stipulated by the director, for

1 producing, issuing, renewing, ¹making computer programming changes
2 in connection with¹ and publicizing the availability of Barnegat Bay
3 Decoy and Baymen's Museum and other maritime history or marine life
4 preservation project license plates.

5 b. The director shall annually certify to the commissioner the
6 average cost per license plate incurred in the immediately preceding
7 year by the division in producing, issuing, renewing, ¹making computer
8 programming changes in connection with¹ and publicizing the
9 availability of Barnegat Bay Decoy and Baymen's Museum and other
10 maritime history or marine life preservation project license plates. The
11 annual certification of the average cost per license plate shall be
12 approved by the Joint Budget Oversight Committee, or its successor.

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

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

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

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

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

1 9. The director shall notify eligible motorists of the opportunity to
2 obtain special license plates authorized in section 3 of this act by
3 including a notice with all motor vehicle registration renewals, and by
4 posting appropriate posters or signs in all division facilities and offices,
5 as may be provided by the department. The notices, posters, and signs
6 shall be designed by the commissioner. The designs shall be subject to
7 the approval of the director, and the commissioner shall supply the
8 division with the notices, posters, and signs to be circulated or posted
9 by that division.

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

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

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25 Establishes certain special license plates and maritime history and
26 marine life protection license plate program; provides that fee monies
27 be appropriated to DEP for certain projects.