

SENATE, No. 211

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators CONNORS and BASSANO

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:

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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.

- 32
33 2. As used in this act:
34 "Accounts" means the "Barnegat Bay Decoy and Baymen's Museum
35 Account" and the "Maritime History and Marine Life Preservation

1 Project Account" created pursuant to section 6 of this act;

2 "Commissioner" means the Commissioner of Environmental
3 Protection;

4 "Department" means the Department of Environmental Protection;

5 "Director" means the Director of the Division of Motor Vehicles in
6 the Department of Law and Public Safety;

7 "Division" means the Division of Motor Vehicles in the Department
8 of Law and Public Safety.

9

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

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

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

44

45 5. a. Application for issuance of a license plate authorized
46 pursuant to section 3 of this act shall be made to the division on forms

1 and in a manner as may be prescribed by the director. In order to be
2 deemed complete, an application shall be accompanied by a fee of \$50
3 payable to the division , which fee shall be in addition to all fees
4 otherwise required by law for the registration of the motor vehicle.

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

15
16 6. a. There are created in the Department of Environmental
17 Protection two special non-lapsing accounts to be known as the
18 "Barnegat Bay Decoy and Baymen's Museum Account" and the
19 "Maritime History and Marine Life Preservation Project Account."
20 There shall be deposited into each of the accounts, the amounts
21 collected from license plate fees collected pursuant to section 5 of this
22 act, less the amounts necessary to reimburse the division for
23 administrative costs pursuant to section 7 of this act, as follows:

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

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

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

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41 7. a. Prior to the deposit of license plate fees collected pursuant
42 to section 5 of this act into the accounts, amounts thereof as are
43 necessary shall be used to reimburse the division for all costs
44 reasonably and actually incurred, as stipulated by the director, for
45 producing, issuing, renewing, and publicizing the availability of
46 Barnegat Bay Decoy and Baymen's Museum and other maritime

1 history or marine life preservation project license plates.

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

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

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

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

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

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

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44 9. The director shall notify eligible motorists of the opportunity to
45 obtain special license plates authorized in section 3 of this act by
46 including a notice with all motor vehicle registration renewals, and by

1 posting appropriate posters or signs in all division facilities and offices,
2 as may be provided by the department. The notices, posters, and signs
3 shall be designed by the commissioner. The designs shall be subject to
4 the approval of the director, and the commissioner shall supply the
5 division with the notices, posters, and signs to be circulated or posted
6 by that division.

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

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

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20 STATEMENT

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22 This bill directs the Division of Motor Vehicles (DMV) to establish
23 Barnegat Bay Decoy and Baymen's Museum and other specially
24 designated maritime history or marine life preservation projects license
25 plates. The special plates would contain markings or identification
26 expressing the vehicle owner's interest in supporting the Barnegat Bay
27 Decoy and Baymen's Museum or other department designated
28 maritime history or marine life protection projects. The Director of
29 the Division of Motor Vehicles would select the design of the license
30 plate, after soliciting, in conjunction with the Legislature, input from
31 the general public and reviewing the submissions before choosing the
32 design. A \$50 fee would be charged for the issuance of the plates, and
33 an additional \$10 fee would be collected for each annual renewal.

34 Costs incurred by the DMV, in producing, issuing, renewing, and
35 publicizing Barnegat Bay Decoy and Baymen's Museum and other
36 maritime history or marine life preservation project license plates, as
37 annually certified by the director, would be defrayed from fees
38 collected.

39 The bill directs DMV to include in all mailings of motor vehicle
40 registration renewals a notice on the availability of the special license
41 plates. Finally, the bill requires the Joint Budget Oversight Committee
42 to approve the Division of Motor Vehicle's annual certification of the
43 average cost to produce, issue and renew a license plate. If the
44 average annual cost exceeds \$50 for two consecutive fiscal years, the
45 division may discontinue the issuance of these license plates.

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3 Establishes certain special license plates and maritime history and

4 marine life protection license plate program; provides that fee monies

5 be appropriated to DEP for certain projects.