

SENATE, No. 764

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Senator CONNORS

1 AN ACT concerning certain motor vehicle fines, penalties and
2 forfeitures and amending R.S.39:5-41.

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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. R.S.39:5-41 is amended to read as follows:

8 39:5-41 a. All fines, penalties and forfeitures imposed and
9 collected under authority of law for any violations of R.S.39:4-63 and
10 R.S.39:4-64 shall be forwarded by the judge to whom the same have
11 been paid to the proper financial officer of the municipality wherein
12 the violation occurred, to be used by the municipality to help finance
13 litter control activities in addition to or supplementing existing litter
14 pickup and removal activities in the municipality.

15 b. Except as otherwise provided by subsection a. of this section, all
16 fines, penalties and forfeitures imposed and collected under authority
17 of law for any violations of the provisions of this Title, other than
18 those violations in which the complainant is the director, a member of
19 his staff, [a member of the State Police,]an inspector of the Board of
20 Public Utilities, or a law enforcement officer of any other State
21 agency, shall be forwarded by the judge to whom the same have been
22 paid as follows: one-half of the total amount collected to the financial
23 officer, as designated by the local governing body, of the respective
24 municipalities wherein the violations occurred, to be used by the
25 municipality for general municipal use and to defray the cost of
26 operating the municipal court; and one-half of the total amount
27 collected to the proper financial officer of the county wherein they
28 were collected, to be used by the county as a fund for the
29 construction, reconstruction, maintenance and repair of roads and
30 bridges, snow removal, the acquisition and purchase of rights-of-way,
31 and the purchase, replacement and repair of equipment for use on said
32 roads and bridges therein. Up to 25% of the money received by a
33 municipality pursuant to this subsection, but not more than the actual
34 amount budgeted for the municipal court, whichever is less, may be

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 used to upgrade case processing.

2 c. For those fines, penalties and forfeitures imposed and collected
3 for violations in which the complainant is a member of the State
4 Police, except as otherwise provided in subsection a. of this section,
5 one-half of the money paid, shall, at the request of the municipality, be
6 forwarded by the judge to whom the same has been paid, to the
7 financial officer of the municipality to defray the cost of operating the
8 municipal court.

9 Whenever any county has deposited moneys collected pursuant to
10 this section in a special trust fund in lieu of expending the same for the
11 purposes authorized by this section, it may withdraw from said special
12 trust fund in any year an amount which is not in excess of the amount
13 expended by the county over the immediately preceding three-year
14 period from general county revenues for said purposes. Such moneys
15 withdrawn from the trust fund shall be accounted for and used as are
16 other general county revenues.

17 (cf: P.L.1993, c.293, s.5)

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19 2. This act shall take effect immediately.

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22 STATEMENT

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24 In certain communities, especially those traversed by toll highways
25 such as the Garden State Parkway, a high volume of summonses is
26 issued by the State Police for violations of State traffic laws. These
27 cases represent a major portion of the court calendars in these towns.
28 At present, the State receives these fines, with the exception of court
29 costs, when motorists receive convictions in these cases. Court costs
30 that are now retained by local courts are often insufficient to offset
31 their operating expenses.

32 This bill would allow municipal courts to retain 50 percent of
33 revenues from fines, in which the complainant is a state trooper, to
34 defray court costs.

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39 Reallocates to local courts one-half of fines from traffic citations
40 issued by State troopers.