

SENATE, No. 2112

STATE OF NEW JERSEY

INTRODUCED MAY 22, 1997

By Senator SINGER

1 AN ACT concerning the establishment and issuance of alternative
2 fuel vehicle license plates and supplementing Title 39 of the Revised
3 Statutes.

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

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8 1. As used in this act:

9 "Alternative fuel" means methanol, ethanol, or other alcohols,
10 natural gas, compressed natural gas, propane, liquefied petroleum gas,
11 hydrogen, coal-derived liquid fuels, electricity, or any other fuel
12 substantially composed of nonpetroleum substances as defined
13 pursuant to the "Energy Policy Act of 1992," Pub.L.102-486
14 (42 U.S.C. §13211 et seq.);

15 "Alternative fuel vehicle" means a motor vehicle that is a dedicated
16 alternative fuel vehicle or a multi-fuel vehicle;

17 "Converted" means the alteration, change, reconstruction,
18 transmutation, transconfiguration, or transmogrification of a motor
19 vehicle propelled solely by means of a fuel that is not an alternative
20 fuel into an alternative fuel vehicle;

21 "Dedicated alternative fuel vehicle" means a motor vehicle
22 constructed or converted to operate solely on alternative fuel;

23 "Director" means the Director of the Division of Motor Vehicles in
24 the Department of Transportation;

25 "Multi-fuel vehicle" means a motor vehicle that can operate on
26 alternative fuel and on a fuel that is not an alternative fuel.

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28 2. a. The Department of Environmental Protection and the
29 Department of Transportation shall solicit, collect and receive private
30 donations for the establishment and issuance of an alternative fuel
31 vehicle license plate. Any private donation collected for this purpose
32 shall be deposited in the Alternative Fuel Vehicle License Plate Fund
33 created pursuant to section 4 of this act. No alternative fuel vehicle
34 license plates shall be issued until sufficient funds have been collected
35 from private donations to pay for the cost of producing, issuing,
36 renewing, and publicizing the availability of alternative fuel vehicle
37 license plates, including the cost of any initial computer programming

1 changes that may be necessary to implement an alternative fuel vehicle
2 license plate program.

3 b. The Director of the Division of Motor Vehicles in the
4 Department of Transportation shall establish an alternative fuel vehicle
5 license plate program and, upon proper application therefor, shall issue
6 alternative fuel vehicle license plates for any motor vehicle owned or
7 leased and registered in the State as an alternative fuel vehicle. In
8 addition to the registration number and other markings or
9 identification otherwise prescribed by law, an alternative fuel vehicle
10 license plate shall display words or a slogan and an emblem indicating
11 support for, or an interest in, the improvement and preservation of air
12 quality and the reduction of air pollution from motor vehicles by the
13 promotion and use of alternative fuels and alternative fuel vehicles.
14 The words or slogan and emblem shall be chosen by the director;
15 however, the director shall solicit, in conjunction with the Legislature,
16 input from the general public on the design of the plate and shall
17 review the submissions prior to choosing the design. Issuance of
18 alternative fuel vehicle license plates in accordance with this section
19 shall be subject to the applicable requirements of chapter 3 of Title 39
20 of the Revised Statutes, except as hereinafter otherwise specifically
21 provided.

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23 3. a. Application for issuance of an alternative fuel vehicle license
24 plate shall be made to the Division of Motor Vehicles on forms and in
25 a manner as may be prescribed by the director, except that the division
26 shall charge no fee for the alternative fuel license plate in addition to
27 fees otherwise required by law for the registration of the motor
28 vehicle. The fee collected for the registration of the alternative fuel
29 vehicle shall be deposited in the Alternative Fuel Vehicle License Plate
30 Fund created pursuant to section 4 of this act.

31 b. There shall be no fee in addition to the annual fee otherwise
32 required by law for the renewal of the registration of the motor vehicle
33 that has been issued an alternative fuel vehicle license plate pursuant
34 to the provisions of this act, in each year subsequent to the year of
35 issuance. The annual fee for the renewal of the registration certificate
36 of a motor vehicle that has been issued an alternative fuel vehicle
37 license plate shall be collected by the Division of Motor Vehicles and
38 deposited in the Alternative Fuel Vehicle License Plate Fund created
39 pursuant to section 4 of this act.

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41 4. There is created in the Department of Environmental Protection
42 a special non-lapsing fund to be known as the "Alternative Fuel
43 Vehicle License Plate Fund." There shall be deposited in the fund the
44 amount collected from private donations pursuant to subsection a. of
45 section 2 of this act and all license plate fees collected pursuant to
46 subsections a. and b. of section 3 of this act. Monies deposited in the

1 fund shall be dedicated for support and funding of projects and
2 programs concerned with the preservation and improvement of air
3 quality through the promotion and use of alternative fuels and
4 alternative fuel vehicles. Monies deposited in the fund shall be held in
5 interest-bearing accounts in public depositories as defined pursuant to
6 section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or
7 reinvested in such securities as are approved by the State Treasurer.
8 Interest or other income earned on monies deposited in the fund, and
9 any monies which may be appropriated or otherwise become available
10 for the purposes of the fund, shall be credited to and deposited in the
11 fund for use as set forth in this act. The Department of Environmental
12 Protection shall administer the fund.

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14 5. a. From the amounts deposited in the fund from private
15 donations, the Department of Environmental Protection annually shall
16 reimburse the Division of Motor Vehicles for all costs reasonably and
17 actually incurred, as stipulated by the director, for:

18 (1) producing, issuing, renewing, and publicizing the availability of
19 alternative fuel vehicle license plates; and

20 (2) any initial computer programming changes that may be
21 necessary to implement the alternative fuel vehicle license plate
22 program established by this act.

23 b. The Director of the Division of Motor Vehicles shall annually
24 certify to the Commissioner of Environmental Protection the average
25 cost per license plate incurred in the immediately preceding year by the
26 division in producing, issuing, renewing, and publicizing the
27 availability of alternative fuel vehicle license plates. The annual
28 certification of the average cost per license plate shall be approved by
29 the Joint Budget Oversight Committee, or its successor.

30 c. In the event that the annual cost of the program, as certified by
31 the director and approved by the Joint Budget Oversight Committee
32 or its successor, exceeds the balance in the fund from private
33 donations collected and deposited in the fund pursuant to subsection
34 a. of section 2 of this act, the director may discontinue the issuance of
35 alternative fuel vehicle license plates.

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37 6. The Director of the Division of Motor Vehicles shall notify
38 eligible motorists of the opportunity to obtain alternative fuel vehicle
39 license plates by including a notice with all motor vehicle registration
40 renewals, and by posting appropriate posters or signs in all facilities
41 and offices of the division. The notices, posters, and signs shall be
42 designed by the Commissioner of Environmental Protection. The
43 designs shall be subject to the approval of the director, and the
44 Commissioner of Environmental Protection shall supply the division
45 with the notices, posters, and signs to be circulated or posted by the
46 division.

1 7. a. The Commissioner of Environmental Protection, the Director
2 of the Division of Motor Vehicles, and the State Treasurer shall
3 develop and enter into an interagency memorandum of agreement
4 setting forth the procedures to be followed by the departments and the
5 Division of Motor Vehicles in carrying out their respective
6 responsibilities under this act.

7 b. The Department of Environmental Protection and the
8 Department of Transportation may adopt, pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), such rules and regulations as may be necessary to implement this
11 act.

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13 8. Sections 1, 2, 4 and 7 of this act shall take effect immediately.
14 Sections 3, 5 and 6 shall take effect on the 180th day after enactment,
15 but the Commissioner of Environmental Protection, the Director of the
16 Division of Motor Vehicles and the State Treasurer may take such
17 anticipatory acts in advance of that date as may be necessary for the
18 timely implementation of the provisions of those sections of this act
19 upon the effective date thereof.

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22 STATEMENT

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24 The bill directs the Department of Environmental Protection and
25 the Department of Transportation to solicit, collect and receive private
26 donations for the establishment of an alternative fuel vehicle license
27 plate program and directs the Division of Motor Vehicles in the
28 Department of Transportation to issue the license plates if sufficient
29 private donations have been received to cover the costs of producing
30 and issuing the license plates. The bill also prohibits the Division of
31 Motor Vehicles from charging any fees for an alternative fuel vehicle
32 license plate in addition to the fees charged by law for the registration
33 of, or the renewal of the registration of, a motor vehicle.

34 The bill directs that the private donations and license plate fees be
35 deposited in the "Alternative Fuel Vehicle License Plate Fund,"
36 established under the bill, and that this fund, to be administered by the
37 Department of Environmental Protection, be used for projects and
38 programs promoting the use of alternative fuels and alternative fuel
39 vehicles.

40 The bill requires that the initial registration fees and the registration
41 renewal fees for alternative fuel vehicles be deposited into the
42 Alternative Fuel Vehicle License Plate Fund.

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46 Establishes alternative fuel vehicle license plate program.