

[First Reprint]

SENATE, No. 324

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 18 (Middlesex)

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District 25 (Morris and Somerset)

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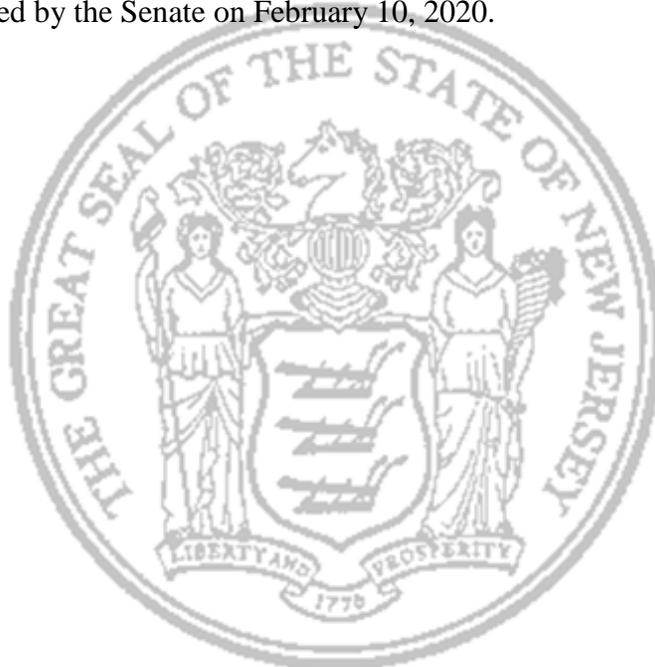
Senators Gill and O'Scanlon

SYNOPSIS

Authorizes operators of motor vehicles to display electronic proof of registration.

CURRENT VERSION OF TEXT

As amended by the Senate on February 10, 2020.



(Sponsorship Updated As Of: 3/5/2020)

1 AN ACT concerning certain proof of motor vehicle registration and
2 amending R.S.39:3-29 and P.L.1972, c.200.

3

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

6

7 1. R.S.39:3-29 is amended to read as follows:

8 39:3-29. The driver's license, the registration certificate of a
9 motor vehicle, and an insurance identification card shall be in the
10 possession of the driver or operator at all times when **[he]** the
11 driver or operator is in charge of a motor vehicle on the highways
12 of this State.

13 The driver or operator shall exhibit **[his]** the driver or operator's
14 driver's license and an insurance identification card, and the holder
15 of a registration certificate or the operator or driver of a motor
16 vehicle for which a registration certificate has been issued, whether
17 or not the holder, driver or operator is a resident of this State, shall
18 also exhibit the registration certificate, when requested so to do by a
19 police officer or judge, while in the performance of the duties of
20 **[his]** their office, and shall write **[his]** the driver or operator's
21 name in the presence of the officer, so that the officer may thereby
22 determine the identity of the licensee and at the same time
23 determine the correctness of the registration certificate, as it relates
24 to the registration number and number plates of the motor vehicle
25 for which it was issued; and the correctness of the evidence of a
26 policy of insurance, as it relates to the coverage of the motor
27 vehicle for which it was issued.

28 The registration certificate or insurance identification card may
29 be displayed or provided in either paper or electronic form. For the
30 purposes of this section, "electronic form" means the display of
31 images on an electronic device, such as a cellular telephone, tablet,
32 or computer.

33 The use of a cellular telephone, tablet, computer, or any other
34 electronic device to display proof of registration or insurance does
35 not constitute consent for a police officer or judge to access any
36 other contents on the device. Any police officer or judge presented
37 with an electronic device pursuant to this section shall be immune
38 from any liability resulting from damage to the device.

39 Any person violating this section shall be subject to a fine of
40 \$150, except that if the person is a driver or operator of an omnibus,
41 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
42 \$250. Of the amount of any such fine collected pursuant to this
43 paragraph, \$25 shall be deposited in the Uninsured Motorist
44 Prevention Fund established by section 2 of P.L.1983, c.141
45 (C.39:6B-3).

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

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted February 10, 2020.

1 If a person charged with a violation of this section can exhibit
2 **his** the person's driver's license, insurance identification card,
3 and registration certificate, which were valid on the day **he** the
4 person was charged, to the judge of the municipal court before
5 whom **he** the person is summoned to answer to the charge, such
6 judge may dismiss the charge. However, the judge may impose
7 court costs.

8 In addition to and independent of any fine or other penalty
9 provided for under law, the court shall impose a fine of \$150 on any
10 driver or operator of an omnibus, convicted of a violation of this
11 section, who does not have a certificate of public convenience and
12 necessity as required pursuant to R.S.48:4-3. The State Treasurer
13 shall annually deposit the monies collected from the fines imposed
14 pursuant to this paragraph to the "Omnibus Safety Enforcement
15 Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-
16 79.23). The fine described herein shall not be deemed a fine,
17 penalty, or forfeiture pursuant to R.S.39:5-41.
18 (cf: P.L.2015, c.54, s.1)

19
20 2. Section 2 of P.L.1972, c.200 (C.39:3-29.1) is amended to
21 read as follows:

22 2. a. The Chief Administrator of the New Jersey Motor
23 Vehicle Commission **shall** may¹ promulgate rules and
24 regulations concerning the issuance, design, and content of the
25 registration certificates required by this act.

26 The **rules and regulations shall:**

27 (1) contain provisions designed commission may take any
28 actions necessary¹ to deter and detect counterfeit or fraudulent
29 registration certificates **;**¹ and **;**¹

30 **]** to¹ provide for an electronic form for the display of
31 registration certificates as provided in R.S.39:3-29.

32 b. The Commissioner of Banking and Insurance shall, after
33 consultation with the New Jersey Motor Vehicle Commission,
34 promulgate rules and regulations concerning the issuance, design,
35 and content of the insurance identification cards required by this
36 act.

37 The rules and regulations shall:

38 (1) contain provisions designed to deter and detect counterfeit or
39 fraudulent insurance identification cards; and

40 (2) provide for an electronic form for the display of insurance
41 identification cards as provided in R.S.39:3-29.

42 (cf: P.L.2015, c.54, s.2)

43
44 3. This act shall take effect **immediately** on the first day of
45 the 18th month following enactment, but the chief administrator
46 may take any anticipatory acts in advance of that date as may be
47 necessary for the timely implementation of this act¹.