P.L.2011, CHAPTER 29, ***approved March 1, 2011***
Senate, No. 1923 ***(Third Reprint)***

AN ACT concerning motorcycle sales, supplementing chapter 10 of Title 39 of the Revised Statutes, and amending P.L.1999, c.90.

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

1. (New section) Any dealer [2]engaged in the business of selling [3]**[**new**]**[3] motorcycles and[2] licensed pursuant to R.S.39:10-19 [2]and who holds a franchise from a manufacturer of new motorcycles[2] may engage in the business of buying, selling, or exchanging motorcycles in this State on any day of the week [1], except that such a dealer shall not be permitted to engage in the business of buying, selling [2],[2] or exchanging motorcycles on a Sunday in any county where Sunday sales are prohibited pursuant to sections 14 through 18 of P.L.1999, c.90 (C.40A:64-1 et seq.)[1]. Nothing in this act shall be construed to affect the sale of automobiles, nor shall it be construed to require a dealer to conduct business on any particular day of the week.

2. Section 4 of P.L.1999, c.90 (C.2C:33-26) is amended to read as follows:

4. [2]**[**A**]** Except as provided in section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), a[2] person who engages in the business of buying, selling[1],[1] or exchanging **[**motor vehicles**]** [2]**[**automobiles**]** motor vehicles[2] or who opens a place of business and attempts to engage in such conduct on a Sunday commits a disorderly persons offense. The first offense is punishable by a fine not to exceed [2]**[**$100.00**]** $100[2] or imprisonment for a period of not more than 10 days or both; the second offense is punishable by a fine not to exceed $500 or imprisonment for a period of not more than 30 days or both; the third or each subsequent offense is punishable by a fine of [2]**[**$750.00**]** $750[2] or imprisonment for a period of six months or both. If the person is a licensed dealer in new or used motor vehicles in this State, under the provisions of chapter 10, Title 39 of the Revised Statutes, the person shall also be subject to suspension or revocation of his dealer's license to engage in the business of buying, selling[1],[1] or exchanging [2]**[**in**]**[2] motor vehicles in this State as provided in Title 39, chapter 10[1]**[**, section

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:
[1]Senate STR committee amendments adopted May 27, 2010.
[2]Senate floor amendments adopted June 21, 2010.
[3]Assembly ATR committee amendments adopted November 15, 2010.

10]¹, section 20, for violation of this statute. Nothing contained in this section shall be construed to prohibit a person from accepting a deposit to secure the sale of a recreational vehicle, as defined in section 1 of P.L.1999, c.284 (C.54:4-1.18), at an off-site sale authorized pursuant to section 2 of P.L.2005, c.351 (C.39:10-19.2), on a Sunday. Nothing contained in this section shall be construed to prohibit a dealer, ²engaged in the business of selling ³[new]³ motorcycles and² licensed pursuant to R.S.39:10-19, ²and who holds a franchise from a manufacturer of new motorcycles² from engaging in the business of buying, selling, or exchanging motorcycles on a Sunday ¹, except that such a dealer shall be prohibited from engaging in the business of buying, selling, or exchanging motorcycles on a Sunday in a county where Sunday sales are prohibited pursuant to sections 14 through 18 of P.L.1999, c.90 (C.40A:64-1 et seq.) and for a violation of this prohibition shall be subject to the penalties provided in this section for the buying, selling, or exchanging ²[of automobiles] motor vehicles² on a Sunday¹. As used in this section, the terms "dealer," ²[“automobile,”] "motor vehicle,"² and "motorcycle" shall have the meaning set forth in R.S.39:1-1.

(cf: P.L.2005, c.351, s.5)

3. This act shall take effect immediately.

Permits sale of motorcycles on Sunday.