

P.L. 2023, CHAPTER 276, *approved January 16, 2024*
Senate, No. 2841 (*Second Reprint*)

1 AN ACT concerning commercial motor vehicle coverage and
2 amending P.L.1972, c.197 ¹and R.S.48:16-3¹.
3

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

7 ¹**[**1. Section 1 of P.L.1972, c.197 (C.39:6B-1) is amended to read
8 as follows:

9 1. a. Every owner or registered owner of a motor vehicle
10 registered or principally garaged in this State shall maintain motor
11 vehicle liability insurance coverage, under provisions approved by
12 the Commissioner of Banking and Insurance, insuring against loss
13 resulting from liability imposed by law for bodily injury, death and
14 property damage sustained by any person arising out of the
15 ownership, maintenance, operation or use of a motor vehicle
16 wherein such coverage shall be at least in: (1) an amount or limit of
17 \$15,000.00, exclusive of interest and costs, on account of injury to,
18 or death of, one person, in any one accident; and (2) an amount or
19 limit, subject to such limit for any one person so injured or killed,
20 of \$30,000.00, exclusive of interest and costs, on account of injury
21 to or death of, more than one person, in any one accident; and (3) an
22 amount or limit of \$5,000.00, exclusive of interest and costs, for
23 damage to property in any one accident; and (4) for a commercial
24 motor vehicle, an amount or limit of \$1,500,000, exclusive of
25 interest and costs, on account of injury to or death of, one or more
26 persons in any one accident or for damage to property in any one
27 accident.

28 b. Notwithstanding the provisions of subsection a. of this
29 section, an owner or registered owner of an automobile, as defined
30 in section 2 of P.L.1972, c.70 (C.39:6A-2), registered or primarily
31 garaged in the State may satisfy the requirements of subsection a. of
32 this section by maintaining a basic automobile insurance policy
33 containing coverages provided pursuant to subsections a. and b. of
34 section 4 of P.L.1998, c.21 (C.39:6A-3.1).

35 c. Notwithstanding the provisions of subsection a. of this
36 section, an owner or registered owner of an automobile, as defined
37 in section 2 of P.L.1972, c.70 (C.39:6A-2), registered or primarily
38 garaged in the State may satisfy the requirements of subsection a. of
39 this section by maintaining a special automobile insurance policy

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 December 21, 2023.

²Assembly floor amendments adopted January 8, 2024.

1 containing coverages provided pursuant to subsection b. of section
2 45 of P.L.2003, c.89 (C.39:6A-3.3).

3 d. As used in this section, “commercial motor vehicle” means a
4 commercial motor vehicle as defined pursuant to section 3 of
5 P.L.1990, c.103 (C.39:3-10.11).

6 (cf: P.L.2003, c.89, s.60)]¹

7

8 ¹1. Section 1 of P.L.1972, c.197 (C.39:6B-1) is amended to read as
9 follows:

10 1. a. Every owner or registered owner of a motor vehicle registered
11 or principally garaged in this State shall maintain motor vehicle
12 liability insurance coverage, under provisions approved by the
13 Commissioner of Banking and Insurance, insuring against loss
14 resulting from liability imposed by law for bodily injury, death and
15 property damage sustained by any person arising out of the ownership,
16 maintenance, operation or use of a motor vehicle wherein such
17 coverage shall be at least in: (1) an amount or limit of \$15,000 for
18 plans issued or renewed prior to January 1, 2023, \$25,000 for plans
19 issued or renewed on or after January 1, 2023 but prior to January 1,
20 2026, and \$35,000 for plans issued or renewed on or after January 1,
21 2026, exclusive of interest and costs, on account of injury to, or death
22 of, one person, in any one accident; and (2) an amount or limit, subject
23 to such limit for any one person so injured or killed, of \$30,000 for
24 plans issued or renewed prior to January 1, 2023, \$50,000 for plans
25 issued or renewed on or after January 1, 2023 but prior to January 1,
26 2026, and \$70,000 for plans issued or renewed on or after January 1,
27 2026, exclusive of interest and costs, on account of injury to or death
28 of, more than one person, in any one accident; and (3) an amount or
29 limit of \$25,000 for plans issued or renewed on or after January 1,
30 2023, exclusive of interest and costs, for damage to property in any
31 one accident; and (4) for a commercial motor vehicle, an amount or
32 limit of \$1,500,000, exclusive of interest and costs, on account of
33 injury to or death of, one or more persons in any one accident or for
34 damage to property in any one accident; and (5) for a commercial
35 motor vehicle with a gross vehicle weight rating of 10,001 or more
36 pounds but less than 26,001 pounds, an amount or limit of
37 ²[\$500,000] \$300,000², exclusive of interest and costs, on account of
38 injury to or death of, one or more persons in any one accident or for
39 damage to property in any one accident. The provisions of paragraphs
40 (4) and (5) of this subsection may be satisfied by a commercial
41 automobile insurance policy, fleet insurance policy, commercial
42 umbrella insurance policy, commercial excess insurance policy,
43 similar insurance policy, or any combination thereof.

44 b. Notwithstanding the provisions of subsection a. of this section,
45 an owner or registered owner of an automobile, as defined in section 2
46 of P.L.1972, c.70 (C.39:6A-2), registered or primarily garaged in the
47 State may satisfy the requirements of subsection a. of this section by
48 maintaining a basic automobile insurance policy containing coverages

1 provided pursuant to subsections a. and b. of section 4 of P.L.1998,
2 c.21 (C.39:6A-3.1).

3 c. Notwithstanding the provisions of subsection a. of this section,
4 an owner or registered owner of an automobile, as defined in section 2
5 of P.L.1972, c.70 (C.39:6A-2), registered or primarily garaged in the
6 State may satisfy the requirements of subsection a. of this section by
7 maintaining a special automobile insurance policy containing
8 coverages provided pursuant to subsection b. of section 45 of
9 P.L.2003, c.89 (C.39:6A-3.3).

10 d. Upon the renewal of a policy of insurance that, under its
11 original policy limits, would no longer meet the minimum
12 requirements established pursuant to this section, an insurer shall
13 notify the named insured that the policy limits have been increased to
14 meet the requirements established pursuant to this section. Notice
15 provided pursuant to this subsection shall specify the limit or limits
16 that have been increased to meet the requirements established pursuant
17 to this section. Notwithstanding the provisions of any law, rule, or
18 regulation to the contrary, an insurer shall not be required to receive a
19 signed coverage selection form pursuant to N.J.A.C.11:3-15.7, to
20 increase a policy's limits pursuant to this section.

21 e. As used in this section, "commercial motor vehicle" means a
22 commercial motor vehicle as defined pursuant to section 3 of
23 P.L.1990, c.103 (C.39:3-10.11) and an autocab as defined pursuant to
24 R.S.48:16-1, and shall include commercially registered vehicles ²[or
25 vehicles operating commercially]². For purposes of paragraph (5) of
26 subsection a. of this section, "commercial motor vehicle" shall also
27 include commercially registered vehicles ²[or vehicles operating
28 commercially]² with a gross vehicle weight rating of 10,001 or more
29 pounds but less than 26,001 pounds.¹

30 (cf: P.L.2022, c.87, s.2)

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32 ¹2. R.S.48:16-3 is amended to read as follows:

33 48:16-3. No such consent shall become effective until the
34 provisions of subsections a. and b. of this section have been
35 satisfied:

36 a. The owner of the autocab shall have filed with the clerk of
37 the municipality in which such operation is permitted, an insurance
38 policy which shall be issued by an admitted insurance company
39 duly licensed to transact business under the insurance laws of this
40 State or a company registered to do business in the State, the policy
41 providing for not less than **[\$35,000 of motor vehicle liability**
42 **insurance coverage or the amount of motor vehicle liability**
43 **insurance coverage required pursuant to section 1 of P.L.1972,**
44 **c.197 (C.39:6B-1), whichever is greater,] \$1.5 million** to satisfy all
45 claims for damages, by reason of bodily injury to, or the death of,
46 any person or persons, resulting from, or on account of, an accident,
47 by reason of the ownership, operation, maintenance, or use of such

1 autocab upon any public street; and to satisfy any claim for
2 damages to property of any person or persons, resulting from, or on
3 account of, an accident, by reason of the ownership, operation,
4 maintenance, or use of such autocab upon any public street.

5 Nothing contained in this subsection shall prohibit the owner of
6 an autocab from obtaining any additional amount of motor vehicle
7 liability insurance coverage from a company licensed outside the
8 State of New Jersey.

9 The consent shall be effective and operation thereunder shall be
10 permitted only so long as the insurance policy shall remain in force
11 to the full and collectible amounts as aforesaid.

12 The insurance policy shall provide for the payment of any final
13 judgment recovered by any person on account of the ownership,
14 maintenance, or use of the autocab or any fault in respect thereto,
15 and shall be for the benefit of every person suffering loss, damage
16 or injury as aforesaid; and

17 b. Each operator or driver of the autocab for which the owner
18 thereof is seeking the consent to operate in a municipality has
19 submitted to the performance of a criminal history record
20 background check. The cost for the criminal history record
21 background check, including all costs of administering and
22 processing the check, shall be borne by the operator or driver of the
23 autocab.

24 A person shall be disqualified from operating or driving an
25 autocab if a criminal history record background check required
26 pursuant to this subsection reveals a record of conviction of any of
27 the following crimes:

28 (1) In New Jersey or elsewhere any crime as follows:
29 aggravated assault, arson, burglary, escape, extortion, homicide,
30 kidnapping, robbery, aggravated sexual assault, sexual assault or
31 endangering the welfare of a child pursuant to N.J.S.2C:24-4,
32 whether or not armed with or having in his possession any weapon
33 enumerated in subsection r. of N.J.S.2C:39-1, a crime pursuant to
34 the provisions of N.J.S.2C:39-3, N.J.S.2C:39-4, or N.J.S.2C:39-9,
35 or other than a disorderly persons or petty disorderly persons
36 offense for the unlawful use, possession or sale of a controlled
37 dangerous substance as defined in N.J.S.2C:35-2.

38 (2) In any other state, territory, commonwealth, or other
39 jurisdiction of the United States, or any country in the world, as a
40 result of a conviction in a court of competent jurisdiction, a crime
41 which in that other jurisdiction or country is comparable to one of
42 the crimes enumerated in paragraph (1) of this subsection.

43 If a person who has been convicted of one of the crimes
44 enumerated in paragraphs (1) and (2) of this subsection can produce
45 a certificate of rehabilitation issued pursuant to N.J.S.2A:168A-8
46 or, if the criminal offense occurred outside New Jersey, an
47 equivalent certificate from the jurisdiction where the criminal

1 offense occurred, the criminal offense shall not disqualify the
2 applicant from operating or driving an autocab.

3 The provisions of this subsection shall not apply to an operator
4 or driver of an autocab who has received the consent to operate in a
5 municipality prior to the effective date of P.L.2011, c.135 (C.48:16-
6 2.1 et al.).¹
7 (cf: P.L.2011, c.135, s.5)

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9 ¹[2.] 3.¹ This act shall take effect on the first day of the sixth
10 month next following the date of enactment and shall apply to all
11 automobile insurance policies initiated or renewed on or after that
12 date.

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17 Raises minimum amount of liability coverage for commercial
18 motor vehicles and autocabs.