

[First Reprint]

SENATE, No. 3390

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED DECEMBER 15, 2022

Sponsored by:

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District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

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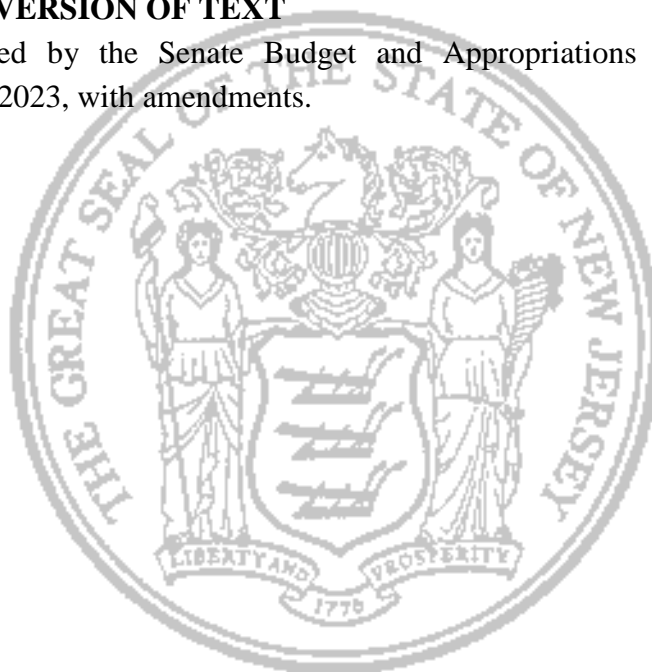
**Senators A.M.Bucco, Greenstein, Bramnick, O'Scanlon, Singer and
Madden**

SYNOPSIS

Expands criminal penalties related to illegal use of motor vehicle master key.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on February 13, 2023, with amendments.



(Sponsorship Updated As Of: 1/10/2023)

1 AN ACT concerning vehicle theft devices and amending N.J.S.2C:5-
2 6.

3

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

6

7 1. N.J.S.2C:5-6 is amended to read as follows:

8 2C:5-6. a. **Any** A person **who** is guilty of a crime of the
9 fourth degree if the person:

10 (1) knowingly possesses a motor vehicle master key or device
11 designed to operate a lock or locks on motor vehicles or to start a
12 motor vehicle without an ignition key **is guilty of a crime of the**
13 **fourth degree.** or key fob;

14 (2) for an unlawful purpose, knowingly possesses a key fob that
15 operates a lock or locks on or starts a motor vehicle owned by
16 another person; or

17 (3) for an unlawful purpose, knowingly possesses a computer
18 program, application, software, or other device adapted, designed,
19 or commonly used to operate a lock or locks on or start a motor
20 vehicle without an ignition key or key fob, or to copy, store
21 information relating to, or interfere with those functions.

22 b. **Any** A person is guilty of a crime of the fourth degree if the
23 person **who** :

24 (1) offers or advertises for sale, sells, or gives to any person
25 other than those excepted in subsection c. of this section a motor
26 vehicle master key or device designed to operate a lock or locks on
27 a motor vehicle or to start a motor vehicle without an ignition key
28 **is guilty of a crime of the fourth degree.** or key fob, or who
29 otherwise causes any such item to enter into commerce in this State;

30 (2) offers or advertises for sale, sells, or gives to any person a
31 computer program, application, software, or other device adapted,
32 designed, or commonly used to operate a lock or locks on or start a
33 motor vehicle without an ignition key or key fob, or to copy, store
34 information relating to, or interfere with those functions, or who
35 otherwise causes any such item to enter into commerce in this State;

36 (i) knowing the item to be adapted, designed, or commonly used
37 for those purposes; and

38 (ii) with a purpose to provide the item to a person the actor
39 knows or reasonably should know has the purpose to use or employ
40 the item unlawfully.

41 c. **Subsection a.** Paragraph (1) of subsection a. of this section
42 shall not apply to ¹use or employment for a lawful purpose by¹ a
43 law enforcement officer¹**;**¹ constable¹**;**¹ locksmith **[or]** ¹**;**¹
44 dealer¹**;**¹ distributor or manufacturer of motor vehicles or motor

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 SBA committee amendments adopted February 13, 2023.

1 vehicle locks¹【,】¹; a garage keeper¹【,】; an insurance support
2 organization as defined in section 1 of P.L.1985, c. 179, (C.17:23A-
3 1)¹ or a person or the employee or agent of a person engaged in the
4 business of lending on the security of motor vehicles【,】 or 【in the
5 business of】 acquiring by purchase evidence of debt secured by
6 interests in motor vehicles【, and his employees and agents】.
7 (cf: N.J.S.2C:5-6)

8

9 2. This act shall take effect immediately.