

SENATE, No. 4084

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED NOVEMBER 27, 2023

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Concerns temporary registration certificates and license plates.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning temporary registration certificates and license
2 plates, amending P.L.1969, c.301 and supplementing Title 2C of
3 the New Jersey Statutes.

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

7
8 1. Section 1 of P.L.1969, c.301 (C.39:3-4b) is amended to read
9 as follows:

10 1. Any nonresident purchasing an automobile from a licensed
11 dealer in New Jersey which is to be principally garaged, registered,
12 and titled in another state, a federal district, or Canada, may register
13 the automobile in New Jersey on a temporary basis.

14 A temporary registration shall be made in the following manner:
15 An application in writing, signed by the applicant or by an agent or
16 officer in case the applicant is a corporation, shall be made to the
17 chief administrator or the chief administrator's lawful agent, on
18 forms prepared and supplied by the chief administrator, containing
19 the name, address, and age of the owner, together with a description
20 of the character of the automobile, including the name of the maker
21 and the manufacturer's number or the motor number, or both, and
22 any other statement that may be required by the chief administrator.
23 A temporary registration certificate shall not be issued unless the
24 licensed dealer has confirmed that the vehicle for which the
25 temporary registration is to be issued is insured in accordance with
26 the requirements of the "Motor Vehicle Security-Responsibility
27 Law," P.L.1952, c.173 (C.39:6-23 et seq.), or the corresponding
28 financial responsibility laws of the jurisdiction in which the vehicle
29 is to be titled and registered.

30 In the event that the insurance is terminated, the insurer shall
31 notify the chief administrator within 30 days, following the
32 termination.

33 Thereupon the chief administrator or licensed dealer shall have
34 the power to grant a temporary registration certificate and
35 temporary license plates to the owner of any automobile, if over 17
36 years of age, either directly or through any licensed motor vehicle
37 dealer who is not within the geographical district, application for
38 the temporary registration having been properly made and the
39 required fee paid, and the vehicle being of a type that complies with
40 the requirements of this subtitle. The form and contents of the
41 temporary registration certificate to be issued shall be prescribed by
42 the chief administrator. The chief administrator shall maintain a
43 record of all temporary registration certificates issued, and of the
44 contents thereof.

45 Every temporary registration shall expire and the certificate
46 thereof shall become void on the 30th day following the date on

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.

1 which the certificate was issued; no temporary registration shall be
2 renewed, except as a permanent registration pursuant to R.S.39:3-4,
3 and after payment of the fees prescribed therein, or as a second
4 temporary registration certificate issued pursuant to section 2 of
5 P.L.1969, c.301 (C.39:3-4c). Each licensed dealer shall remit upon
6 issuance of a second temporary registration certificate the amount
7 due to the New Jersey Motor Vehicle Commission.

8 The chief administrator shall issue temporary registration
9 certificates for the 30-day registration period, which shall be
10 effective immediately.

11 **【Any person violating the provisions of this section shall be**
12 **subject to a fine not exceeding \$100】** Upon finding that any member,
13 officer, agent, employee, or other representative of a licensed dealer
14 has violated the provisions of this section or the provisions of any rule
15 or regulation prescribed by the chief administrator related to the
16 issuance of temporary registration certificates or license plates, the
17 chief administrator shall impose a fine against the licensed dealer in
18 the amount of \$2,500 for a first offense and \$5,000 for any subsequent
19 offense , except that for the misstatement of any fact in the application
20 required to be made by the chief administrator, the person making the
21 misstatement shall be subject to the penalties provided in R.S.39:3-37.
22 The chief administrator may suspend or revoke the dealer license of a
23 dealer convicted of a violation of section 3 of P.L. , c. (C.)
24 (pending before the Legislature as this bill) or for any subsequent
25 violation of the provisions of this section or the provisions of any rule
26 or regulation prescribed by the chief administrator related to the
27 issuance of temporary registration certificates or license plates. Each
28 temporary registration certificate or license plate issued in violation
29 of the provisions of this section shall constitute a separate offense.
30 (cf: P.L.2017, c.352, s.1)

31
32 2. Section 2 of P.L.1969, c.301 (C.39:3-4c) is amended to read
33 as follows:

34 2. a. The chief administrator may prescribe rules and
35 regulations governing the issuance of temporary registration
36 certificates and temporary license plates by motor vehicle dealers,
37 motorized bicycle dealers, and the New Jersey Motor Vehicle
38 Commission and may require security in sufficient amount to
39 guarantee payment of all fees and moneys to the State of New
40 Jersey **【and, upon】** .

41 b. A licensed dealer may print one temporary license plate per
42 bona fide sale of a motor vehicle in accordance with subsection c.
43 of this section.

44 c. A licensed dealer shall print every temporary license plate
45 on reflective paper that utilizes enhanced security features for the
46 purpose of preventing forgery or duplication of the temporary
47 license plate, as established by the chief administrator.

1 In addition to any other information required by the chief
2 administrator, for every temporary license plate printed by the
3 licensed dealer, the licensed dealer shall provide the chief
4 administrator with the following information, in the form of
5 unredacted, uploaded documents:

6 (1) a copy of the front and back of the driver's license of the
7 purchaser of the motor vehicle;

8 (2) a copy of the title or manufacturer's certificate of origin
9 showing the make, model, and vehicle identification number of the
10 motor vehicle sold to the purchaser of the motor vehicle;

11 (3) proof of a bona fide sale to include, but not limited to, a
12 copy of the executed bill of sale;

13 (4) a copy of proof of insurance coverage for the motor vehicle
14 sold to the purchaser; and

15 (5) the static IP address of the printer used to print out the
16 temporary license plate.

17 d. A temporary registration certificate and license plate shall
18 only be issued for a motor vehicle listed in the issuing dealer's
19 vehicle registry.

20 e. Upon a finding that any abuse has been practiced [by any
21 licensed motor vehicle or motorized bicycle dealer], the chief
22 administrator shall have the right to suspend the dealer's privilege
23 or franchise from issuing temporary registration certificates and
24 license plates or, upon a finding that any abuse has been practiced
25 by any member, officer, agent, employee, or other representative of
26 the licensed dealer, the chief administrator shall have the right to
27 permanently prohibit that member, officer, agent, employee, or
28 other representative from obtaining a position as an owner, officer
29 or director, or employee at another licensed dealership.

30 Upon a finding that a licensed dealer has violated the provisions
31 of this section or the provisions of any rule or regulation prescribed
32 by the chief administrator related to the issuance of temporary
33 registration certificates or license plates, the chief administrator
34 shall impose a fine of \$2,500 for a first offense and \$5,000 for any
35 subsequent offense upon a licensed dealer. In addition to any fines
36 or penalties imposed under this section, the chief administrator may
37 suspend or revoke the dealer license of a dealer convicted of a
38 violation of section 3 of P.L. , c. (C.) (pending before the
39 Legislature as this bill) or for any subsequent violation of the
40 provisions of this section or the provisions of any rule or regulation
41 prescribed by the chief administrator related to the issuance of
42 temporary registration certificates or license plates. Each
43 temporary registration certificate or license plate issued in violation
44 of the provisions of this section shall constitute a separate offense.

45 f. Temporary registration certificates for vehicles to be
46 permanently registered in New Jersey or any other jurisdiction shall
47 be valid for a period of 30 days. In the event permanent registration
48 has been delayed by reason of a lost title certificate or failure of a

1 lien holder to timely turn over a certificate of title, a second
2 temporary registration certificate may be issued. A licensed motor
3 vehicle or motorized bicycle dealer shall make a record in the form
4 and manner prescribed by the chief administrator for any second
5 temporary registration certificate issued and shall pay an enhanced
6 fee to be determined by the chief administrator for each second
7 temporary registration issued. Each licensed motor vehicle or
8 motorized bicycle dealer shall annually determine the fees to be
9 paid pursuant to this section and shall remit annually under
10 certification the amount due to the New Jersey Motor Vehicle
11 Commission.

12 g. No temporary registration certificate shall be issued by a
13 licensed dealer **[hereunder]** unless the licensed dealer has
14 confirmed that the vehicle for which the temporary registration is to
15 be issued is covered by a policy of insurance in accordance with the
16 requirements of the "Motor Vehicle Security-Responsibility Law,"
17 P.L.1952, c.173 (C.39:6-23 et seq.), whether by a policy in the
18 name of the purchaser covering the vehicle or which would provide
19 coverage for the purchaser while operating the vehicle or by an
20 endorsement to a policy in the name of the licensed dealer;
21 provided, however, no permanent registration shall be issued unless
22 a policy in the name of the purchaser or someone in the purchaser's
23 household is confirmed.

24 h. A temporary registration certificate issued hereunder may be
25 issued by any employee authorized by a licensed dealer to do so;
26 however, the licensee shall be liable for the acts of any authorized
27 employee in issuing temporary registrations, whether the particular
28 unlawful acts were authorized or unauthorized.

29 i. Every applicant for a motor vehicle dealer license who
30 intends to issue temporary registration certificates and temporary
31 license plates shall include with the dealer license application a
32 separate application to issue temporary registration certificates and
33 temporary license plates. The application for approval to issue
34 temporary registration certificates and temporary license plates
35 shall be made in a form determined by the chief administrator. The
36 application for approval to issue temporary registration certificates
37 and temporary license plates shall include, but is not limited to, the
38 following:

- 39 (1) the name and business address of the applicant;
40 (2) proof of a current and valid dealer license;
41 (3) proof of a secure storage and printing area for the temporary
42 registration certificates and temporary license plates;
43 (4) certification of completion of a training course approved by
44 the chief administrator for the issuance of temporary registration
45 certificates and temporary license plates; and
46 (5) the application fee, as determined by the chief administrator.

47 j. A licensed dealer shall keep detailed records of every
48 temporary registration certificate and temporary license plate issued

1 by the dealer for three years in a manner prescribed by the chief
2 administrator. All records kept pursuant to the provisions of this
3 subsection shall be open to inspection by the Motor Vehicle
4 Commission at any reasonable time.

5 As used in this section:

6 “Bona fide sale” means a sale for valuable consideration made in
7 good faith and without the purpose of circumventing any law, rule,
8 or regulation.

9 “Certificate of ownership” means the document certifying
10 ownership of a motor vehicle, other than the manufacturer’s or
11 importer’s certificate of origin.

12 “Manufacturer’s or importer’s certificate of origin” means the
13 original written instrument or document required to be executed and
14 delivered by the manufacturer to the agent or a dealer, certifying the
15 origin of the vehicle.

16 “Motor vehicle title” means a title issued that documents
17 ownership of a vehicle and can be used to transfer ownership.

18 “Vehicle Registry” means a listing of motor vehicles owned by
19 the licensed dealer containing information about each motor vehicle
20 as required by the Chief Administrator of the New Jersey Motor
21 Vehicle Commission.

22 (cf: P.L.2017, c.352, s.2)

23

24 3. (New section) a. Any person who knowingly produces,
25 sells, offers, or exposes for sale a temporary registration certificate
26 or temporary license plate obtained by providing false information
27 to the Chief Administrator of the New Jersey Motor Vehicle
28 Commission is guilty of a crime of the fourth degree.

29 b. Any person who exhibits or displays on a motor vehicle a
30 temporary registration certificate or temporary license plate,
31 knowing that the temporary registration certificate or temporary
32 license plate was obtained by providing false information to the
33 Chief Administrator of the New Jersey Motor Vehicle Commission,
34 is guilty of a disorderly persons offense.

35 c. Any person who possesses a temporary registration
36 certificate or temporary license plate, knowing that the temporary
37 registration certificate or temporary license plate was obtained by
38 providing false information to the Chief Administrator of the New
39 Jersey Motor Vehicle Commission, is guilty of a petty disorderly
40 persons offense.

41 d. Any person who knowingly produces, sells, offers, or
42 exposes for sale a forged, altered, counterfeited, or simulated
43 temporary registration certificate or temporary license plate that
44 simulates a temporary registration certificate or license plate is
45 guilty of a crime of the fourth degree.

46 e. Any person who exhibits or displays on a motor vehicle a
47 falsely made, forged, altered, counterfeited, or simulated temporary
48 registration certificate or temporary license plate, knowing that the

1 temporary registration certificate or temporary license plate was
2 falsely made, forged, altered, counterfeited or simulated, is guilty of
3 a disorderly persons offense.

4 f. Any person who possesses a falsely made, forged, altered,
5 counterfeited, or simulated temporary registration certificate or
6 temporary license plate, knowing that the temporary registration
7 certificate or temporary license plate was falsely made, forged,
8 altered, counterfeited, or simulated, is guilty of a petty disorderly
9 persons offense.

10 g. Nothing in this section shall be construed to preclude or
11 limit the prosecution or conviction of any person for any other
12 crime or offense.

13

14 4. This act shall take effect immediately.

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16

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STATEMENT

18

19 This bill establishes an application process and certain security
20 procedures for licensed motor vehicle dealers seeking to provide
21 temporary license plates to buyers.

22 Under the bill, a licensed motor vehicle dealer is required to
23 apply to the Chief Administrator of the New Jersey Motor Vehicle
24 Commission (MVC) before the dealer is able to issue temporary
25 registration certificates and temporary license plates. The
26 application is to include the dealer's name and business address,
27 proof of a valid dealer license, a demonstration of a secure storage
28 and printing area, the completion of an approved training course,
29 and the application fee.

30 The bill requires that for each temporary license plate requested
31 from MVC, in addition to any information required by the chief
32 administrator, the dealer is to provide a copy of the front and back
33 of the purchaser's driver's license, a copy of the title or
34 manufacturer's certificate of origin showing make, model, and the
35 vehicle identification number of the motor vehicle sold to the
36 purchaser, proof of a bona fide sale to include, but not limited to,
37 a copy of the executed bill of sale, a copy of the proof of insurance
38 coverage for the motor vehicle sold to the purchaser, and the static
39 IP address of the printer used to print out the temporary license
40 plate.

41 The bill requires licensed motor vehicle dealers to print
42 temporary license plates on reflective paper that utilizes enhanced
43 security features, as established by the chief administrator, for the
44 purpose of preventing forgery or duplication.

45 The bill increases penalties for licensed motor vehicle dealers
46 who violate the provisions of the bill or the provisions of any rule
47 or regulation prescribed by the chief administrator related to the
48 issuance of temporary license plates and temporary registration

1 certificates. Under the bill, a violator would be liable to a penalty
2 of \$2,500 for a first offense and \$5,000 for any subsequent offense.
3 Each temporary license plate issued in violation of this bill is to
4 constitute a separate offense. The bill grants the chief administrator
5 the discretion to permanently prohibit any member, officer, agent,
6 employee, or other representative of a licensed dealer who violates
7 the provisions of this bill from obtaining a position as an owner,
8 officer or director, or employee at another licensed dealership.

9 In addition, this bill establishes: 1) a crime of the fourth degree
10 for any person who knowingly produces, sells, offers, or exposes
11 for sale a temporary license plate or temporary registration
12 certificate obtained by providing false information to the chief
13 administrator; 2) a disorderly persons offense for any person who
14 knowingly exhibits or displays or produces a temporary license
15 plate or temporary registration certificate obtained by providing
16 false information; 3) a petty disorderly persons offense for any
17 person possessing a temporary license plate or temporary
18 registration certificate obtained by providing false information; 4) a
19 crime of the fourth degree for any person who knowingly produces,
20 sells, offers, or exposes for sale a forged, altered, counterfeited, or
21 simulated temporary registration certificate or temporary license
22 plate; 5) a disorderly persons offense for any person who exhibits or
23 displays on a motor vehicle a falsely made, forged, altered,
24 counterfeited or simulated temporary registration certificate or
25 temporary license plate, knowing that the temporary registration
26 certificate or temporary license plate was falsely made, forged,
27 altered, counterfeited or simulated; and 6) a petty disorderly persons
28 offense for any person who possesses a falsely made, forged,
29 altered, counterfeited, or simulated temporary registration
30 certificate or temporary license plate, knowing that the temporary
31 registration certificate or temporary license plate was falsely made,
32 forged, altered, counterfeited, or simulated.

33 A fourth-degree crime is punishable by up to 18 months
34 imprisonment, a fine of up to \$10,000, or both. A disorderly
35 persons offense is punishable by up to six months imprisonment, a
36 fine of up to \$1,000, or both. A petty disorderly persons offense is
37 punishable by up to 30 days imprisonment, a fine of up to \$500, or
38 both.

39 Under the bill, the chief administrator may suspend or revoke the
40 dealer license of a dealer who commits multiple violations of the
41 provisions of this bill or who is convicted of a criminal violation of
42 the provisions of this bill.