

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 2394

# STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2022

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 2394.

This Assembly committee substitute requires certain drivers whose driver's licenses are suspended or revoked to receive notice and receipt of payment concerning license restoration, and concerns penalties for operating a vehicle while a person's license is suspended or revoked under certain circumstances.

Current law provides that a person is required to act affirmatively in order to restore a suspended or revoked license by paying a restoration fee. A person who fails to pay the restoration fee will not have their license restored. When a driver has been issued an additional period of suspension for driving while suspended or revoked, the committee substitute requires the Chief Administrator of the Motor Vehicle Commission to provide notice:

- (1) of the period of the additional suspension or revocation term;
- (2) that the driver is required to pay the restoration fee once the period of suspension or revocation has ended; and
- (3) that the driver's license will remain suspended or revoked until the restoration fee is paid.

The committee substitute further requires the chief administrator to provide a licensee with proof of payment of the restoration fee upon receipt of the payment.

Current law also provides that a person operating a vehicle while the person's license is suspended or revoked may incur penalties including additional suspensions, fines, and terms of imprisonment.

Under the committee substitute, the court would not be permitted to impose a term of imprisonment, fine, or period of suspension, or revocation for a violation of driving while suspended or revoked if:

- (1) the original period of suspension or revocation is complete;
- (2) the person has no other outstanding suspensions or revocations for which the period of suspension or revocation is incomplete or the restoration fee has not been paid; and
- (3) the person provides proof of payment of the restoration fee.

Lastly, current law provides for extended terms of imprisonment for certain violations involving the operation of a motor vehicle when a driver's license or registration is suspended or revoked. This committee substitute makes the imposition of an extended term discretionary in certain circumstances.