

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2394

STATE OF NEW JERSEY

DATED: FEBRUARY 16, 2023

The Assembly Transportation and Independent Authorities Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 2394.

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

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

- (1) of the period of the additional suspension or revocation term; and
- (2) 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 or registration is suspended or revoked may incur penalties including additional suspensions, fines, and terms of imprisonment.

Under the committee substitute, the courts would not be permitted to impose a term of imprisonment, fine, or period of suspension, or revocation for a violation of driving while the person's license or registration is 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.