

CHAPTER 285

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

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

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

C.39:3-4b Temporary registration.

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

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

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

Thereupon the chief administrator or any licensed dealer who is authorized to issue temporary registration certificates and license plates pursuant to the provisions of subsection i. of section 2 of P.L.1969, c.301 (C.39:3-4c) shall have the power to grant a temporary registration certificate and a temporary license plate in accordance with the provisions of subsection b. of section 2 of P.L.1969, c.301 (C.39:3-4c) to the owner of any automobile, if over 17 years of age, either directly or through any licensed motor vehicle dealer who is not within the geographical district, application for the temporary registration having been properly made and the required fee paid, and the vehicle being of a type that complies with the requirements of this subtitle. The form and contents of the temporary registration certificate to be issued shall be prescribed by the chief administrator. The chief administrator shall maintain a record of all temporary registration certificates issued, and of the contents thereof.

Every temporary registration shall expire and the certificate thereof shall become void on the 30th day following the date on which the certificate was issued; no temporary registration shall be renewed, except as a permanent registration pursuant to R.S.39:3-4, and after payment of the fees prescribed therein, or as a second temporary registration certificate issued pursuant to section 2 of P.L.1969, c.301 (C.39:3-4c). Each licensed dealer shall remit upon issuance of a second temporary registration certificate the amount due to the New Jersey Motor Vehicle Commission.

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

Upon a finding that any abuse has been practiced, the chief administrator shall have the right to suspend the dealer's privilege to issue or franchise from issuing temporary registration certificates and license plates or, upon a finding that any abuse has been practiced by any member, officer, agent, employee, or other representative of the licensed dealer, the chief

administrator shall have the right to permanently prohibit that member, officer, agent, employee, or other representative from obtaining a position as an owner, officer or director at any licensed dealership, or as an employee at any licensed dealership, if the employee's position involves access to the computer system used to request or print temporary registration certificates or license plates.

Upon finding that any member, officer, agent, employee, or other representative of a licensed dealer has violated the provisions of this section or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary registration certificates or license plates, the chief administrator shall impose a fine against the licensed dealer in the amount of \$2,500 for a first offense and \$5,000 for any subsequent offense.

The chief administrator may suspend or revoke the dealer license of a dealer convicted of a violation of section 3 of P.L.2023, c.285 (C.2C:21-4.9) or for any subsequent violation of the provisions of this section or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary registration certificates or license plates. Each temporary registration certificate or license plate issued in violation of the provisions of this section shall constitute a separate offense.

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

C.39:3-4c Rules, regulations relative to issuance of temporary registration certificates, plates.

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

b. Except as provided in subsection f. of this section, a licensed dealer may print one temporary license plate per bona fide sale of a motor vehicle in accordance with subsection c. of this section. The chief administrator or designated vendor shall implement security features that prevent a licensed dealer from printing more than one temporary license plate per bona fide sale.

c. Not later than six months following the effective date of P.L.2023, c.285 (C.2C:21-4.9 et al.), a licensed dealer shall print every temporary license plate on paper that utilizes enhanced security features for the purpose of preventing forgery or duplication of the temporary license plate, as established by the chief administrator. Not later than three months following the effective date of P.L.2023, c.285 (C.2C:21-4.9 et al.), the chief administrator shall select and authorize the use of a specific type of security paper that does not interfere with the ability of toll monitoring systems to detect toll violations.

In addition to any other information required by the chief administrator, for every temporary license plate printed by the licensed dealer, the licensed dealer shall maintain, in a physical file on the business premises of the licensed dealer or in an electronic file on the computer system of the licensed dealer, for a period of three years following the date that the temporary license plate is issued, the following unredacted documents, which shall be made available for inspection by the chief administrator at any reasonable time:

- (1) a copy of the front and back of the driver's license of the purchaser of the motor vehicle;
- (2) a copy of the title or manufacturer's certificate of origin showing the make, model, and vehicle identification number of the motor vehicle sold to the purchaser of the motor vehicle;
- (3) proof of a bona fide sale to include, but not limited to, a copy of the executed bill of sale;
- (4) a copy of proof of insurance coverage for the motor vehicle sold to the purchaser;

(5) the static IP address of the printer used to print the temporary license plate; and

(6) a copy of the temporary registration certificate and temporary license plate issued to the purchaser.

d. Not later than 14 months following the effective date of P.L.2023, c.285 (C.2C:21-4.9 et al.), the chief administrator shall establish and maintain a vehicle registry, as defined under subsection j. of this section. A licensed dealer shall enter into the vehicle registry any information required by the chief administrator. Following the establishment of the vehicle registry by the chief administrator, a temporary registration certificate and license plate shall only be issued to a licensed dealer for a motor vehicle that is listed in the vehicle registry.

e. Upon a finding that any abuse has been practiced, the chief administrator shall have the right to suspend the dealer's privilege or franchise from issuing temporary registration certificates and license plates or, upon a finding that any abuse has been practiced by any member, officer, agent, employee, or other representative of the licensed dealer, the chief administrator shall have the right to permanently prohibit that member, officer, agent, employee, or other representative from obtaining a position as an owner, officer or director at any licensed dealership; or as an employee at any licensed dealership, if the employee's position involves access to the computer system used to request or print temporary registration certificates or license plates.

Upon a finding that a licensed dealer has violated the provisions of this section or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary registration certificates or license plates, the chief administrator shall impose a fine of \$2,500 for a first offense and \$5,000 for any subsequent offense upon a licensed dealer. In addition to any fines or penalties imposed under this section, the chief administrator may suspend or revoke the dealer license of a dealer convicted of a violation of section 3 of P.L.2023, c.285 (C.2C:21-4.9) or for any subsequent violation of the provisions of this section or the provisions of any rule or regulation prescribed by the chief administrator related to the issuance of temporary registration certificates or license plates. Each temporary registration certificate or license plate issued in violation of the provisions of this section shall constitute a separate offense.

f. Temporary registration certificates for vehicles to be permanently registered in New Jersey or any other jurisdiction shall be valid for a period of 30 days. In the event permanent registration has been delayed by reason of a lost title certificate or failure of a lien holder to timely turn over a certificate of title, or during the processing of complex title corrections or replacement titles and duplicate titles, or at the discretion of the chief administrator, a second temporary registration certificate may be issued. A licensed motor vehicle or motorized bicycle dealer shall make a record in the form and manner prescribed by the chief administrator for any second temporary registration certificate issued and shall pay an enhanced fee to be determined by the chief administrator for each second temporary registration issued. Each licensed motor vehicle or motorized bicycle dealer shall annually determine the fees to be paid pursuant to this section and shall remit annually under certification the amount due to the New Jersey Motor Vehicle Commission.

g. No temporary registration certificate shall be issued by a licensed dealer unless the licensed dealer has confirmed that the vehicle for which the temporary registration is to be issued is covered by a policy of insurance in accordance with the requirements of the "Motor Vehicle Security-Responsibility Law," P.L.1952, c.173 (C.39:6-23 et seq.), whether by a policy in the name of the purchaser covering the vehicle or which would provide coverage for the purchaser while operating the vehicle or by an endorsement to a policy in the name of the

licensed dealer; provided, however, no permanent registration shall be issued unless a policy in the name of the purchaser or someone in the purchaser's household is confirmed.

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

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

(1) the name and business address of the applicant;

(2) proof of a current and valid dealer license;

(3) proof of a secure storage and printing area for the temporary registration certificates and temporary license plates;

(4) not later than one year following the effective date of P.L.2023, c.285 (C.2C:21-4.9 et al.), certification of completion of a training course approved by the chief administrator for the issuance of temporary registration certificates and temporary license plates; and

(5) the application fee, as determined by the chief administrator.

j. As used in this section:

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

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

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

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

“Vehicle Registry” means a database established and maintained by the chief administrator that shall include a listing of motor vehicles owned, leased, or sold by the licensed dealer; any motor vehicles delivered to the licensed dealer for either wholesale or retail sale; the name and address of the buyer or lessee of the motor vehicle; the motor vehicle identification number; and any other information as required by the chief administrator.

C.2C:21-4.9 Violations, penalties; temporary registration certificate, temporary license plate.

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

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

c. Any person who possesses a temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was

obtained by providing false information to the Chief Administrator of the New Jersey Motor Vehicle Commission, is guilty of a petty disorderly persons offense.

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

e. Any person who exhibits or displays on a motor vehicle a falsely made, forged, altered, counterfeited, or simulated temporary registration certificate or temporary license plate, knowing that the temporary registration certificate or temporary license plate was falsely made, forged, altered, counterfeited or simulated, is guilty of a disorderly persons offense.

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

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

h. The clerk of the court in which a conviction is rendered or any other person designated by the court shall, immediately upon entry, forward a certified copy of the conviction or a transcript to the chief administrator.

C.39:3-4d1 Suspending, revoking, dealer license, imposing fines, prior, notify license holder of charges, hearing; rules, regulations.

4. a. Prior to suspending or revoking a dealer license or imposing a fine on a licensed dealer pursuant to section 1 or section 2 of P.L.1969, c.301 (C.39:3-4b or C.39:3-4c), the chief administrator shall, at least 10 days prior to the scheduled hearing, notify the license holder, in writing, of the charges and afford the license holder an opportunity to be heard in person or by counsel. The written notice may be served either personally or by registered mail addressed to the last-known address of the licensee. The chief administrator may subpoena and require the appearance of any person in this State, or take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this State. The Appellate Division of the Superior Court shall have the power to review, by an appeal in lieu of prerogative writ taken by an aggrieved person, a final determination of the chief administrator.

b. Any fine imposed and collected pursuant to this act shall be remitted to the commission and used to defray the costs of the commission.

c. The chief administrator is authorized to adopt rules and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), implementing the provisions of this act.

5. Sections 1 and 2 of this act shall take effect on the first day of the sixth month next following enactment, except that the Chief Administrator of the New Jersey Motor Vehicle Commission may take any anticipatory administrative action necessary to implement the provisions of this act. Sections 3 and 4 of this act shall take effect immediately.

Approved January 16, 2024.