

SENATE SUBSTITUTE FOR
SENATE, No. 1880

STATE OF NEW JERSEY
212th LEGISLATURE

ADOPTED JANUARY 8, 2007

Sponsored by:

Senator HENRY P. MCNAMARA

District 40 (Bergen, Essex and Passaic)

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

SYNOPSIS

Permits dealer issued license plate frames which do not obscure numbers and letters on vehicle license plates.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate.



1 AN ACT concerning motor vehicle license plates and amending
2 R.S.39:3-33.

3

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

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7 1. R.S.39:3-33 is amended to read as follows:

8 39:3-33. The owner of an automobile which is driven on the
9 public highways of this State shall display not less than 12 inches
10 nor more than 48 inches from the ground in a horizontal position,
11 and in such a way as not to swing, an identification mark or marks
12 to be furnished by the **[division]** commission; provided, that if two
13 marks are issued they shall be displayed on the front and rear of the
14 vehicle; and provided, further, that if only one mark is issued it
15 shall be displayed on the rear of the vehicle; and provided, further,
16 that the rear identification mark may be displayed more than 48
17 inches from the ground on tank trucks, trailers and other
18 commercial vehicles carrying inflammable liquids and on sanitation
19 vehicles which are used to collect, transport and dispose of garbage,
20 solid wastes and refuse. Motorcycles shall also display an
21 identification mark or marks; provided, that if two marks are issued
22 they shall be displayed on the front and rear of the motorcycle; and
23 provided, further, that if only one mark is issued it shall be
24 displayed on the rear of the motorcycle.

25 The identification mark or marks shall contain the number of the
26 registration certificate of the vehicle and shall be of such design and
27 material as prescribed pursuant to section 2 of P.L.1989, c.202
28 (C.39:3-33.9). All identification marks shall be kept clear and
29 distinct and free from grease, dust or other blurring matter, so as to
30 be plainly visible at all times of the day and night.

31 No person shall drive a motor vehicle which has a license plate
32 frame or identification marker holder that conceals or otherwise
33 obscures any part of any marking imprinted upon the vehicle's
34 registration plate or any part of any insert which the **[director]**
35 chief administrator, as hereinafter provided, issues to be inserted in
36 and attached to that registration plate or marker. This provision
37 shall not apply to any license plate frame or identification marker
38 holder that has been issued to a motor vehicle owner or lessee by a
39 dealer authorized to engage in the business of buying, selling or
40 dealing in motor vehicles in this State under the provisions of
41 chapter 10 of Title 39 of the Revised Statutes, provided that frame
42 or marker holder does not conceal, obscure or in any way encroach
43 upon the registration numbers and letters set forth on the motor
44 vehicle's license plates.

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 The [director] chief administrator is authorized and empowered
2 to issue registration plate inserts, to be inserted in and attached to
3 the registration plates or markers described herein. They may be
4 issued in the place of new registration plates or markers; and
5 inscribed thereon, in numerals, shall be the year in which
6 registration of the vehicle has been granted.

7 No person shall drive a motor vehicle the owner of which has not
8 complied with the provisions of this subtitle concerning the proper
9 registration and identification thereof, nor drive a motor vehicle
10 which displays a fictitious number, or a number other than that
11 designated for the motor vehicle in its registration certificate.
12 During the period of time between the application for motor vehicle
13 registration and the receipt of registration plates from the [division]
14 commission, no person shall affix a plate or marker for the purpose
15 of advertisement in the position on a motor vehicle normally
16 reserved for the display of the registration plates required by this
17 section if the plate or marker is designed with a combination of
18 letters, numbers, colors, or words to resemble the registration plates
19 required by this section.

20 A person convicted of displaying a fictitious number, as
21 prohibited herein, shall be subject to a fine not exceeding \$500.00
22 or imprisonment in the county jail for not more than 60 days.

23 A person violating any other provision of this section shall be
24 subject to a fine not exceeding \$100.00. In default of the payment
25 thereof, there shall be imposed an imprisonment in the county jail
26 for a period not exceeding 10 days. A person convicted of a second
27 offense of the same violation may be fined in double the amount
28 herein prescribed for the first offense and may, in default of the
29 payment thereof, be punished by imprisonment in the county jail for
30 a period not exceeding 20 days. These penalties shall not apply to
31 the display of a fictitious number.

32 (cf: P.L. 1989, c.202, s.1)

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34 2. This act shall take effect on the first day of the second month
35 following enactment.

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STATEMENT

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40 This Senate Substitute clarifies that the provision of R.S.39:3-33
41 which prohibits license plate frames and holders that obscure or
42 conceal any part of a motor vehicle's license plate does not apply to
43 dealer issued frames and holders so long as those frames and
44 holders do not conceal or obscure any part of the registration
45 numbers and letters set forth on the vehicle's license plate.