ASSEMBLY, No. 128

STATE OF NEW JERSEY

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Establishes motor vehicle registration for street rods and custom motor vehicles.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning certain motor vehicle registrations supplementing Title 39 of the Revised Statutes and amending R.S.39:8-1 and R.S.39:3-50.

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

1. (New Section) For the purposes of this act:

a. "Custom vehicle" means a motor vehicle:

(1) that is at least 25 years old and of a model year after 1948, or was manufactured to resemble a vehicle 25 years old and of a model year after 1948; and

(2) has been altered from the manufacturer original design, or the body of the motor vehicle has been constructed from non-original parts.

b. "Street rod" means a motor vehicle that:

(1) was manufactured prior to 1948, or after 1948 but was manufactured in manner to resemble a vehicle manufactured prior to 1949; and

(2) has been altered from the manufacturer's original design, or the body of the motor vehicle has been constructed from non-original parts.

2. (New Section) a. Any owner of a street rod who is a resident of this State may register such a motor vehicle under the provisions of this act. Application for registering a street rod shall be on forms prescribed by the chief administrator.

b. An applicant for a street rod registration under this section shall certify in writing that the vehicle will not be used for general transportation, but may be used for activities, including but not limited to, occasional transportation, exhibitions, club activities, parades, and tours.

c. Upon proper application, the chief administrator shall certify, authorize, and issue a certificate of ownership to the owner of a street rod, provided that the owner submits proof that the vehicle qualifies as a street rod pursuant to section 1 of P.L. c. (C.) (pending before the Legislature as this bill). The term "Replica-Street Rod" shall be conspicuously printed at the top of the certificate of ownership. The year of manufacture and model year stated on the certificate of ownership shall be the year of manufacture and model year that the street rod resembles.

d. Upon proper application, the chief administrator shall issue a street rod license plate for any motor vehicle registered pursuant to this section. In addition to the registration number and other markings or identification otherwise prescribed by law, the license

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 <u>thus</u> is new matter.

plate shall display appropriate words and an emblem identifying the vehicle as a street rod. The chief administrator, in consultation with representatives from the National Street Rod Association, shall choose the design, including an emblem and a color scheme.

Application for issuance of the street rod license plate shall be made to the chief administrator on forms and in a manner prescribed by the chief administrator. In order to be deemed complete, an application shall be accompanied by a fee of $50, payable to the New Jersey Motor Vehicle Commission, which shall be in addition to the fee otherwise prescribed by law for the registration of motor vehicles. The chief administrator shall collect annually, subsequent to the year of issuance of the street rod license plate, a $10 fee for the license plate in addition to the fees otherwise prescribed by law for the registration of a motor vehicle.

e. A street rod registered pursuant to this act shall not be required to have specific equipment added or affixed to the vehicle that was not required under State law following the year of manufacture printed on the vehicle's certificate of ownership.

3. (New Section) a. Any owner of a custom motor vehicle who is a resident of this State may register such a motor vehicle under the provisions of this act. Application for registering a custom motor vehicle shall be on forms prescribed by the chief administrator.

b. An applicant for a custom motor vehicle registration under this section shall certify in writing that the vehicle will not be used for general transportation, but may be used for activities, including but not limited to, occasional transportation, exhibitions, club activities, parades, and tours.

c. Upon proper application, the chief administrator shall certify, authorize, and issue a certificate of ownership to the owner of a custom motor vehicle, provided that the owner submits proof that that vehicle qualifies as a custom motor vehicle pursuant to section 1 of P.L. c. (C.) (pending before the Legislature as this bill). The term "Replica-Custom Motor Vehicle" shall be conspicuously printed at the top of the certificate of ownership. The year of manufacture and model year stated on the certificate of ownership shall be the year of manufacture and model year that the custom motor vehicle resembles.

d. Upon proper application, the chief administrator shall issue a custom motor vehicle license plate for any motor vehicle registered pursuant to this section. In addition to the registration number and other markings or identification otherwise prescribed by law, the license plate shall display appropriate words and an emblem identifying the vehicle as a custom motor vehicle. The chief administrator, in consultation with representatives from the National Street Rod Association, shall choose the design, including an emblem and a color scheme.

Application for issuance of the custom motor vehicle license plate shall be made to the chief administrator on forms and in a manner prescribed by the chief administrator. In order to be deemed complete, an application shall be accompanied by a fee of $50, payable to the New Jersey Motor Vehicle Commission, which shall be in addition to the fee otherwise prescribed by law for the registration of motor vehicles. The chief administrator shall collect annually, subsequent to the year of issuance of the custom motor vehicle license plate, a $10 fee for the license plate in addition to the fees otherwise prescribed by law for the registration of a motor vehicle.

e. A custom motor vehicle registered pursuant to this act shall not be required to have specific equipment added or affixed to the vehicle that was not required under State law following the year of manufacture listed on the vehicle's certificate of ownership.

4. (New Section) For the purposes of this act "blue dot tail light" means a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

Notwithstanding the provisions of R.S.39:3-50, a street rod or custom vehicle registered pursuant to this act may be equipped with blue dot tail lights as a reflector, turn signal, or stop lamp on or facing the rear of the motor vehicle.

5. R.S.39:8-1 is amended to read as follows:

39:8-1. a. Every motor vehicle registered in this State which is used over any public road, street, or highway or any public or quasi-public property in this State, and every vehicle subject to enhanced inspection and maintenance programs pursuant to 40 C.F.R. s.51.356, except motorcycles, historic motor vehicles<u>, street rods, and custom motor vehicles</u> registered as such, collector motor vehicles designated as such pursuant to this subsection, and those vehicles over 8,500 pounds gross weight that are under the inspection jurisdiction of the commission pursuant to Titles 27 and 48 of the Revised Statutes, shall be inspected by designated inspectors or at official inspection facilities to be designated by the commission or at licensed private inspection facilities. Passenger automobiles registered in accordance with R.S.39:3-4 or R.S.39:3-27 and noncommercial trucks registered in accordance with section 2 of P.L.1968, c.439 (C.39:3-8.1) or R.S.39:3-27 inspected pursuant to this section shall only be inspected for emissions and emission-related items such as emission control equipment and on-board diagnostics. The commission shall adopt rules and regulations establishing a procedure for the designation of motor vehicles as collector motor vehicles, which designation shall include consideration by the commission of one or more of the following factors: the age of the vehicle, the number of such vehicles

originally manufactured, the number of such vehicles that are currently in use, the total number of miles the vehicle has been driven, the number of miles the vehicle has been driven during the previous year or other period of time determined by the commission, and whether the vehicle has a collector classification for insurance purposes.

b. The commission shall determine the official inspection facility or private inspection facility at which a motor vehicle, depending upon its characteristics, shall be inspected. The commission, with the concurrence of the Department of Environmental Protection, may exclude by regulation from this inspection requirement any category of motor vehicle if good cause for such exclusion exists, unless the exclusion is likely to prevent this State from meeting the applicable performance standard established by the United States Environmental Protection Agency. The commission may determine that a vehicle is in compliance with the inspection requirements of this section if the vehicle has been inspected and passed under a similar inspection program of another state, district, or territory of the United States.

(cf: P.L.2010, c.29, s.1.)

6. R.S.39:3-50 is amended to read as follows:

39:3-50. All lamps and reflectors, which display a light visible from directly in front of a vehicle as authorized by this subtitle, shall exhibit lights substantially white, yellow or amber in color.

(a) The color of light emitted or reflected by exterior lamps or reflectors on a vehicle shall be as follows, except as otherwise provided in paragraphs (b), (c) and (d) of this section:

White when the lamp is a headlamp, or spot lamp, or illuminates a license plate or a destination sign; or is located on the outside limit of a side car or other attachment on a motor cycle;

Substantially white or amber when the lamp is a side-cowl or fender lamp, running-board or other courtesy lamp, front parking lamp, back-up lamp, auxiliary driving lamp; or a turn signal on or facing the front;

Substantially red or amber when the lamp is a turn signal or a stop lamp on or facing the rear;

Red when any other lamp or any reflector is on the rear or on either side at or near the rear, except as otherwise provided in paragraph (f) of section 39:3-61 for a combination marker lamp;

Amber when any other lamp or reflector is on the front or on either side other than at or near the rear.

(b) Lamps and reflectors on projecting loads shall emit or reflect light with color as provided in section 10 of this act.

(c) No person shall drive or move any vehicle or equipment upon any street or highway equipped with any device or lamp thereon capable of or displaying a light of any other color than permitted by this section, except: an authorized emergency vehicle,

an authorized school bus, **[**or**]** a vehicle authorized by a permit issued by the chief administrator, or a street rod or custom motor vehicle as specified under section 4 of P.L. c. (C.) (pending before the Legislature as this bill).

(d) A permit authorizing a vehicle to be equipped with a lamp capable of or displaying a flashing light, except as provided in 39:3-54 or a light of a color other than permitted by this section, visible from directly in front of said vehicle, may be issued by the director when necessary, in his discretion, for the reasonable and safe movement of traffic. The permit shall specify the type and color of such lamp and the conditions under which a person may drive or move the vehicle with said lamp displaying a light. The permit shall be valid only when the specifications and conditions contained therein are complied with. The chief administrator shall collect a $25 fee for the initial issuance and for each subsequent renewal of the permit for each vehicle for which the applicant seeks to use such a light, provided, however, that no fee shall be charged for a permit authorizing the use of a light that is red or blue. The fee set forth in this section shall not apply to a motor vehicle registered at no fee pursuant to R.S.39:3-27. The fees collected pursuant to this section shall be considered revenue of the commission and shall not be subject to the calculation of proportional revenue remitted to the commission pursuant to section 105 of P.L.2003, c.13 (C.39:2A-36).

The chief administrator may cancel or revoke a permit issued under authority of this section whenever the conditions for its issuance no longer exist or on any other reasonable grounds.

(cf: P.L.2007, c.242, s.5)

7. This act shall take effect on the first day of the thirteenth month after enactment, provided however, the Chief Administrator of the Motor Vehicle Commission may take such anticipatory action as needed for the act's timely implementation.

STATEMENT

This bill creates a new motor vehicle registration for street rods and custom motor vehicles. The bill defines a street rod as a motor vehicle that was manufactured prior to 1948, or after 1948 but was manufactured in a manner to resemble a vehicle manufactured prior to 1949; and has been altered from the manufacturer's original design, or the body of the motor vehicle has been constructed from non-original parts. Custom motor vehicles are defined under the bill as a motor vehicle that:

1) is at least 25 years old and of a model year after 1948, or was manufactured to resemble a vehicle 25 years old and of a model year after 1948; and

2) has been altered from the manufacturer original design, or the body of the motor vehicle has been constructed from non-original parts.

Under the provisions of the bill, an applicant for a custom motor vehicle is required to certify in writing that the vehicle will not be used for general transportation, but may be used for activities, including but not limited to, occasional transportation, exhibitions, club activities, parades, and tours. The bill also provides that the chief administrator of the motor vehicle commission is to certify, authorize, and issue a certificate of ownership to the owner of a custom motor vehicle or street rod, provided that the owner submits proof that the vehicle qualifies as a street rod or custom motor vehicle. Under the bill, the year of manufacture and model year stated on the certificate of ownership is to be the year of manufacture and model year that the street rod or custom motor vehicle resembles. The bill requires that the phrase "Replica-Custom Motor Vehicle" or "Replica-Street Rod" be conspicuously printed at the top of the certificate of ownership.

The bill further requires the chief administrator to issue special license plates for street rods and custom motor vehicles. The chief administrator, in consultation with representatives from the National Street Rod Association, is to choose the design, including an emblem and a color scheme of the license plates. The bill provides that the application for a license plate shall be accompanied by a fee of $50, payable to the motor vehicle commission. The owner of a street rod or custom motor vehicle is required to pay $10 annually for the use of the special license plate.

In addition, the provisions of the bill provide that a street rod or custom motor vehicle is exempt from regular inspections under the law. These vehicles also would be exempt from having specific equipment added or affixed to the vehicle that was not required under State law following the year of manufacture listed on the vehicle's certificate of ownership.

Finally, the bill provides that a street rod or custom vehicle may be equipped with a "blue dot tail light" as a rear reflector, turn signal or stop lamp. The bill defines "blue dot tail light" as a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.