ASSEMBLY, No. 495

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS

Creates exemption from certain MVC fees for prisoners of war.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning motor vehicle fee exemptions for prisoners of war and amending P.L.1948, c.28 and P.L.1981, c.236.

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

1. Section 1 of P.L.1948, c.28 (C.39:3-27.1) is amended to read as follows:

1. No fee shall be charged for the registration, in any year or years, of **[**one**]** any motor vehicle of passenger type, which is not to be used for hire, owned by any resident of the State of New Jersey, individually or jointly with a spouse**[**;**]** :

(1) who is eligible for compensation pursuant to R.S.38:18-1, **[**38:18-2**]** R.S.38:18-2, and **[**38:18-3,**]** R.S.38:18-3;

(2) who has qualified or shall qualify under the provisions of Public Law 663-79th Congress of the United States of America (August 8, 1946) **[**or**]**, of Public Law 187--82nd Congress of the United States of America (October 20, 1951), or who is a veteran of World War I with service-connected disabilities of the kind set forth in **[**said**]** the aforementioned Public Laws, and who is the holder of a current driver's license issued by this State, if **[**such**]** the motor vehicle is equipped with **[**such**]** special attachments and devices as the **[**Director of the Division of Motor Vehicles in the Department of Law and Public Safety**]** Chief Administrator of the Motor Vehicle Commission may deem necessary to provide for the safe operation thereof by **[**such person, or**]** the person;

(3) who is the holder of the Congressional Medal of Honor, which registration shall be evidenced by distinctive license plates of a design approved by the **[**Director of the Division of Motor Vehicles**]** Chief Administrator of the Motor Vehicle Commission; or

(4) who has served in the armed forces of the United States, or a reserve component therof, and was held as a prisoner of war by an enemy of the United States during any armed conflict, as certified by the Department of Military and Veteran's Affairs, or who is the spouse or surviving spouse of a former prisoner of war, and has been issued a distinctive license plate in accordance with section 1 of P.L.1981, c.236 (C.39:3-27.24).

(cf: P.L.1979, c.122, s.1)

2. Section 1 of P.L.1981, c.236 (C.39:3-27.24) is amended to read as follows:

1. Upon the application of any person who served in the armed forces of the United States, or a reserve component therof, and who

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.

was held as a prisoner of war by an enemy of the United States during any armed conflict, as certified by the Department of Military and Veterans' Affairs, the [Director of the Division of Motor Vehicles] Chief Administrator of the Motor Vehicle Commission shall issue [for the motor vehicle owned by such person special plates bearing the letters "P.O.W.," in addition to the registration number and other markings or identification otherwise prescribed by law] special license plates bearing the letters "P.O.W.," a registration number, and other markings or identification otherwise proscribed by law, for the motor vehicle owed by the applicant or the motor vehicle owed by the spouse of the applicant, provided that the spouse was married to the applicant at the time the applicant was held as a prisoner of war and can provide proof of marriage. There shall be no cost [to the applicant for these special plates. The applicant is required to pay the fees otherwise prescribed by law for the registration of motor vehicles] for these special plates to the applicant or the spouse of the applicant, provided that the spouse was married to the applicant at the time that the applicant was held as a prisoner of war and can provide proof of marriage.

The surviving spouse of a former prisoner of war who is eligible to operate a motor vehicle in this State under the provision of R.S.39:3-10 may retain the special license plates obtained by the deceased [spouse] applicant pursuant to this section for display on a motor vehicle registered to the surviving spouse under the provision of R.S.39:3-4, provided that the surviving spouse was married to the applicant at the time the applicant was held as a prisoner of war, can provide proof of marriage, and has not remarried. There shall be no cost for these special plates to the surviving spouse of the applicant, provided that the surviving spouse was married to the applicant at the time the applicant was held as a prisoner of war, can provide proof of marriage, and has not remarried.

(cf: P.L.1989, c.117, s.1)

3. Section 2 of P.L.1981, c.236 (C.39:3-27.25) is amended to read as follows:

2. The [Director of the Division of Motor Vehicles] Chief Administrator of the Motor Vehicle Commission and the Adjutant General of the Department of Military and Veterans' Affairs shall promulgate and adopt rules and regulations governing the issuance and use of [such] the registration plates.

(cf: P.L.1989, c.117, s.2)

4. This act shall take effect on the first day of the six month after enactment.

STATEMENT

This bill exempts prisoners of war (P.O.W.) and their spouses from certain New Jersey Motor Vehicle Commission (MVC) fees and expands the availability of P.O.W. license plates to P.O.W. spouses.

Under the bill, the P.O.W. exemptions are to apply to all active and reserve components of the military. The bill removes the one motor vehicle per applicant statutory restriction on motor vehicle registration fee exemptions for certain veterans, Congressional Medal of Honor winners, and P.O.W.s. The bill exempts a P.O.W., their spouse, or their surviving spouse from paying MVC motor vehicle registration fees.

The bill expands the capacity of a spouse of a P.O.W. to use a P.O.W license plate by extending the P.O.W. license plate fee exemption to include a spouse of a P.O.W., provided that the spouse was married to the P.O.W. at the time the applicant for the P.O.W. license plate was held as a P.O.W., can provide proof of marriage, and has not remarried. The bill also allows the surviving spouse of a P.O.W. to retain the P.O.W. license plates after the death of the P.O.W. at no cost, provided that the spouse was married to the P.O.W. at the time the applicant for the P.O.W. license plate was held as a P.O.W., can provide proof of marriage, and has not remarried.