

ASSEMBLY, No. 1538

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

SYNOPSIS

Changes allocation of fines collected for motor vehicle violations in certain municipalities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the allocation of moneys collected from motor
2 vehicle violations and amending R.S.39:5-40.

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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.39:5-40 is amended to read as follows:

8 39:5-40. a. Except as otherwise provided by this subtitle and
9 subsection b. of this section, all moneys received in accordance
10 with the provisions of this Title, whether from fines, penalties,
11 forfeitures, registration fees, license fees, or otherwise, shall be
12 accounted for and forwarded to the **commissioner**, who shall pay
13 the same over to the **State Treasurer**, to be credited to the **State**
14 **Highway Fund** and used for the purposes of such fund as provided
15 by section 52:22-20 of the Title, State Government, Departments
16 and Officers **General Fund**.

17 b. All fines, penalties and forfeitures imposed and collected
18 under authority of law for any violations of the provisions of this
19 Title, in which the complaining witness is a member of the State
20 Police and the violation occurred in a municipality with at least four
21 limited-access highways, as defined pursuant to R.S.39:1-1,
22 traveling through its boundaries, shall be forwarded by the judge to
23 whom the same have been paid as follows: 25 percent of the total
24 amount collected to the financial officer, as designated by the local
25 governing body, of the respective municipalities wherein the
26 violations occurred, to be used by the municipality for general
27 municipal use and to defray the cost of operating the municipal
28 court; and the remaining 75 percent to the State Treasurer, to be
29 credited to the General Fund.

30 (cf: P.L.1942, c.334, s.8)

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32 2. This act shall take effect on the first day of the third month
33 next following enactment.

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36 STATEMENT

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38 This bill changes the allocation of fines collected by the State
39 Police in certain municipalities.

40 Under current law, all moneys collected under Title 39, the
41 State's motor vehicle code, including fines, penalties, forfeitures,
42 and registration and license fees, are forwarded to the Department
43 of the Treasury for deposit into the General Fund (moneys directed
44 to the State Highway Fund after July 1, 1945 are now paid into the
45 General Fund). This bill amends current law to provide that

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.

A1538 SPEARMAN

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1 whenever the State Police issue a motor vehicle summons in a
2 municipality in which at least four limited-access highways travel
3 through its boundaries, 25 percent of the moneys collected are to be
4 allocated to the municipality in which the violation occurred, with
5 the remaining 75 percent to be allocated to the State's General
6 Fund.