

[First Reprint]

## **ASSEMBLY, No. 4527**

# **STATE OF NEW JERSEY**

## **219th LEGISLATURE**

INTRODUCED AUGUST 10, 2020

**Sponsored by:**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

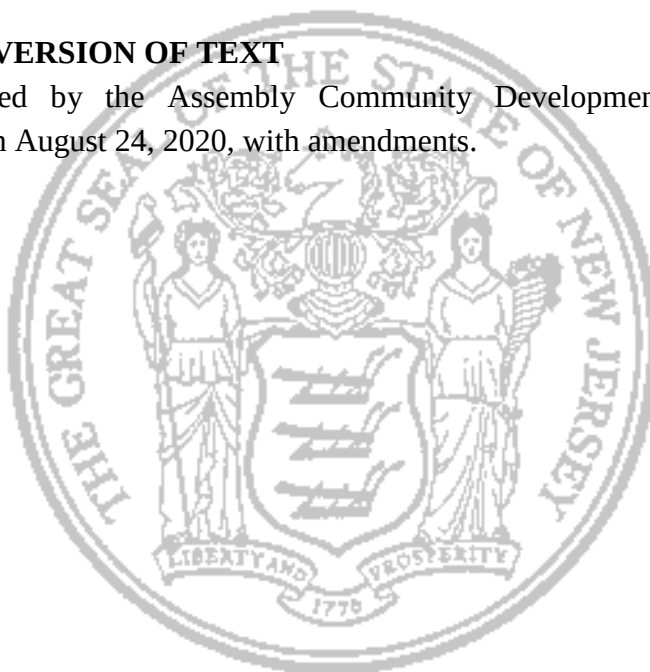
**Assemblywoman McKnight and Assemblyman Coughlin**

### **SYNOPSIS**

Eliminates driver's license suspension for failure to pay parking tickets; requires registration suspension for more than five parking tickets.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Community Development and Affairs Committee on August 24, 2020, with amendments.



**(Sponsorship Updated As Of: 8/27/2020)**

1 AN ACT concerning parking tickets <sup>1,1</sup> and <sup>1</sup>supplementing and<sup>1</sup>  
2 amending P.L.1985, c.14.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 <sup>1</sup>1. (New Section) The Legislature finds and declares that:

8 a. Millions of New Jersey residents depend on their driver's  
9 license to travel to and from work, to take care of their families, and  
10 to perform a variety of tasks that they would consider necessary for  
11 their daily lives.

12 b. Driver's license suspension was originally conceived as a  
13 sanction used to punish bad drivers, as the link between driving  
14 behavior and sanctions is clear.

15 c. Yet, the vast majority of suspended driver's licenses  
16 throughout the State that are suspended do not result from habitual  
17 bad driving, but from a variety of compliance reasons like the  
18 failure to pay off the amount of accrued parking tickets.

19 d. Driver's license suspensions can lead to collateral and  
20 unintended consequences such as job loss, difficulty in finding  
21 employment, and reduced income, which are all needed to repay  
22 any accumulated debt.

23 e. Therefore, the provisions of P.L. , c. (C. ) (pending  
24 before the Legislature as this bill) are intended to end the  
25 financially devastating cycle of unpaid tickets and driver's license  
26 suspensions that place undue emotional, psychological, and  
27 financial stress on New Jersey residents.<sup>1</sup>

28  
29 <sup>1</sup>**[1.]** <sup>2,1</sup> Section 9 of P.L.1985, c.14 (C.39:4-139.10) is  
30 amended to read as follows:

31 9. a. If a person has failed to respond to a failure to appear  
32 notice or has failed to pay a parking judgment, the municipal court  
33 may give notice of that fact to the commission in a manner  
34 prescribed by the chief administrator. If notice has been given  
35 under this section of a person's failure to respond to a failure to  
36 appear notice or to pay a parking judgment and if the fines and  
37 penalties are paid or if the case is dismissed or otherwise disposed  
38 of, the municipal court shall promptly give notice to that effect to  
39 the commission.

40 b. The judge or the commission **[may]** shall suspend **[the**  
41 driver's license, or] the registration of the motor vehicle of an  
42 owner, lessee, or operator who has not answered or appeared in  
43 response to <sup>1</sup>**[a]** five<sup>1</sup> failure to appear <sup>1</sup>**[notice]** notices<sup>1</sup> or has

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ACD committee amendments adopted August 24, 2020.

1 not paid or otherwise satisfied more than five outstanding parking  
2 fines or penalties.

3 If the **【license or】** registration suspension is the result of the  
4 failure to pay outstanding parking fines or penalties, or respond to a  
5 failure to appear notice, the commission shall:

6 (1) delay the imposition of the **【license or】** registration  
7 suspension for at least 30 days after the date on which the  
8 commission received a notice of suspension from the municipal  
9 court; and

10 (2) upon receipt of a notice of suspension from the municipal  
11 court, provide written notice advising the owner, lessee, or operator  
12 that the suspension shall take effect 30 days after the date of the  
13 commission's notice. The written notice issued by the commission  
14 shall provide the reason for suspension, identify the municipal court  
15 that issued the notice of suspension, and inform the owner, lessee,  
16 or operator that the suspension may be avoided by contacting the  
17 municipal court that issued the notice of suspension within the 30-  
18 day period to resolve the pending parking violation.

19 **【If an owner, lessee or operator has been found guilty of a**  
20 **parking offense and has failed to pay or otherwise satisfy**  
21 **outstanding parking fines or penalties, the court shall provide notice**  
22 **and an opportunity to appear before a judge prior to suspending that**  
23 **person's driver's license or motor vehicle registration. In**  
24 **determining whether to suspend the person's driver's license or the**  
25 **motor vehicle registration, the judge and the commission shall take**  
26 **into consideration the circumstances of the offense, whether the**  
27 **suspension of the person's driver's license will result in extreme**  
28 **hardship and alternative means of transportation are not readily**  
29 **available, the area where the person resides, and whether or not the**  
30 **person has access to off-street parking.】** In accordance with section  
31 1 of P.L.1981, c.365 (C.39:4-203.1) and section 1 of P.L.2009,  
32 c.317 (C.2B:12-23.1), a court may permit alternatives to the  
33 payment of certain outstanding portions of parking fines and  
34 penalties based on a person's ability to pay, including allowing the  
35 payment of the fine in installments, conversion of the fine to  
36 community service, or revoking portions of the fine or penalty.

37 When a person whose **【license or】** registration has been  
38 suspended appears at court proceedings or otherwise resolves  
39 pending parking violations, or pays or otherwise satisfies all  
40 parking fines or penalties, the municipal court shall provide the  
41 person with a receipt of payment and shall give electronic notice to  
42 the commission that the person's obligations have been satisfied and  
43 the suspension ordered by the court shall not be imposed. If, prior  
44 to the effective date of the suspension by the commission, the  
45 person submits the receipt of payment to the commission or the  
46 commission receives the electronic notice stating that the person's  
47 obligations have been satisfied, the commission shall not suspend

1 the person's **【license or】** registration. If the commission receives  
2 the receipt or electronic notice after the effective date of the  
3 suspension, the person shall seek the restoration of the **【license or】**  
4 registration through procedures adopted by the commission.

5 c. The commission shall keep a record of a registration  
6 suspension ordered by the court pursuant to subsection b. of this  
7 section.

8 (cf: P.L.2019, c.276, s.14)

9

10 <sup>1</sup>**【2.】** 3.<sup>1</sup> This act shall take effect on the first day of the fourth  
11 month next following enactment.