

SENATE, No. 2841

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 20, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

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 introduced.



1 AN ACT concerning parking tickets and amending P.L.1985, c.14.

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

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6 1. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to
7 read as follows:

8 9. a. If a person has failed to respond to a failure to appear
9 notice or has failed to pay a parking judgment, the municipal court
10 may give notice of that fact to the commission in a manner
11 prescribed by the chief administrator. If notice has been given
12 under this section of a person's failure to respond to a failure to
13 appear notice or to pay a parking judgment and if the fines and
14 penalties are paid or if the case is dismissed or otherwise disposed
15 of, the municipal court shall promptly give notice to that effect to
16 the commission.

17 b. The judge or the commission **【may】** shall suspend **【the**
18 driver's license, or**】** the registration of the motor vehicle of an
19 owner, lessee, or operator who has not answered or appeared in
20 response to a failure to appear notice or has not paid or otherwise
21 satisfied more than five outstanding parking fines or penalties.

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

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

29 (2) upon receipt of a notice of suspension from the municipal
30 court, provide written notice advising the owner, lessee, or operator
31 that the suspension shall take effect 30 days after the date of the
32 commission's notice. The written notice issued by the commission
33 shall provide the reason for suspension, identify the municipal court
34 that issued the notice of suspension, and inform the owner, lessee,
35 or operator that the suspension may be avoided by contacting the
36 municipal court that issued the notice of suspension within the 30-
37 day period to resolve the pending parking violation.

38 **【If** an owner, lessee or operator has been found guilty of a
39 parking offense and has failed to pay or otherwise satisfy
40 outstanding parking fines or penalties, the court shall provide notice
41 and an opportunity to appear before a judge prior to suspending that
42 person's driver's license or motor vehicle registration. In
43 determining whether to suspend the person's driver's license or the
44 motor vehicle registration, the judge and the commission shall take
45 into consideration the circumstances of the offense, whether the

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 suspension of the person's driver's license will result in extreme
2 hardship and alternative means of transportation are not readily
3 available, the area where the person resides, and whether or not the
4 person has access to off-street parking.】 In accordance with section
5 1 of P.L.1981, c.365 (C.39:4-203.1) and section 1 of P.L.2009,
6 c.317 (C.2B:12-23.1), a court may permit alternatives to the
7 payment of certain outstanding portions of parking fines and
8 penalties based on a person's ability to pay, including allowing the
9 payment of the fine in installments, conversion of the fine to
10 community service, or revoking portions of the fine or penalty.

11 When a person whose 【license or】 registration has been
12 suspended appears at court proceedings or otherwise resolves
13 pending parking violations, or pays or otherwise satisfies all
14 parking fines or penalties, the municipal court shall provide the
15 person with a receipt of payment and shall give electronic notice to
16 the commission that the person's obligations have been satisfied and
17 the suspension ordered by the court shall not be imposed. If, prior
18 to the effective date of the suspension by the commission, the
19 person submits the receipt of payment to the commission or the
20 commission receives the electronic notice stating that the person's
21 obligations have been satisfied, the commission shall not suspend
22 the person's 【license or】 registration. If the commission receives
23 the receipt or electronic notice after the effective date of the
24 suspension, the person shall seek the restoration of the 【license or】
25 registration through procedures adopted by the commission.

26 c. The commission shall keep a record of a registration
27 suspension ordered by the court pursuant to subsection b. of this
28 section.

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

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

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STATEMENT

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37 This bill eliminates suspension of a person's driver's license as a
38 penalty for failure to make required court appearances for
39 outstanding parking tickets or failure to pay those tickets. But the
40 bill does require suspension of a person's motor vehicle registration
41 for failure to make more than five required court appearances
42 related to outstanding parking tickets or for failure to pay more than
43 five of those tickets.