

CHAPTER 110

AN ACT concerning certain motor vehicle surcharges, and supplementing Title 17 of the Revised Statutes.

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

1. a. In addition to the provisions of the New Jersey Merit Rating Plan established pursuant to section 6 of P.L.1983, c.65 (C.17:29A-35), and notwithstanding the provisions of any other law to the contrary, there is established a motor vehicle surcharge amnesty period. This period, which shall begin on the 60th day following the enactment of this act, shall be for a period of 60 days in duration. During this amnesty period, a driver who has failed to pay any motor vehicle surcharges levied pursuant to paragraph (1) or (3) of subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35) may pay the full principal amount of any such surcharges to the Chief Administrator of the New Jersey Motor Vehicle Commission without any interest that otherwise may be due and without any costs of collection that otherwise may be due.

Notwithstanding the provisions of any other law to the contrary, no person shall be entitled to a waiver of any interest or cost of collection afforded under this subsection unless full payment of the motor vehicle surcharges due is made in accordance with rules and procedures established by the Chief Administrator. Full payment of the surcharges due shall constitute satisfaction of the applicable surcharge obligation.

A driver who has been authorized by the Chief Administrator to pay a surcharge levied pursuant to paragraph (1) or (3) of subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35) on an installment basis may participate in the amnesty established pursuant to this subsection.

The amnesty afforded under this subsection shall not apply to surcharges levied pursuant to paragraph (2) of subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35) nor shall any driver who has any outstanding surcharges levied pursuant to that paragraph be eligible to participate in this amnesty.

b. There shall be imposed a penalty equal to 5% of the principal outstanding upon any motor vehicle surcharges which are eligible to be satisfied during the amnesty period established pursuant to subsection a. of this section, but which are not so satisfied during that amnesty period. This penalty shall be in addition to all other penalties, interest or costs of collection otherwise authorized by law upon those unsatisfied surcharges; provided, however, this 5% penalty shall not be assessed against any person who:

(1) prior to the effective date of this act, was authorized by the Chief Administrator to pay a surcharge on an installment basis; or

(2) during the 60-day amnesty period established under subsection a. of this section, was a member of the United States Armed Forces engaged in active military duty and provides documentation of such service to the Chief Administrator.

2. a. Except as otherwise provided in subsection b. of this section, all monies collected pursuant to the provisions of section 1 of this act shall be remitted to the Division of Motor Vehicles Surcharge Fund established pursuant to section 12 of P.L.1994, c.57 (C.34:1B-21.12).

b. From the monies collected pursuant to subsection a. of section 1 of this act, there is appropriated to the New Jersey Motor Vehicle Commission an amount not to exceed \$250,000 to implement and administer the surcharge amnesty program established under this act.

3. This act shall take effect immediately

Approved July 1, 2003.