

CHAPTER 62

AN ACT concerning the Automated Traffic System, supplementing chapter 12 of Title 2B of the New Jersey Statutes and amending N.J.S.22A:3-4.

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

C.2B:12-30.1 Automated Traffic System Statewide Modernization Fund.

1. a. There is established in the General Fund a separate, non-lapsing, dedicated account to be known as the Automated Traffic System Statewide Modernization Fund.

b. Each fiscal year, the State Treasurer shall credit all revenues derived from the offender assessment authorized under subsection c. of N.J.S.22A:3-4 to the Automated Traffic System Statewide Modernization Fund established pursuant to subsection a. of this section.

c. Moneys in the Automated Traffic System Statewide Modernization Fund, including any interest accruing thereon, shall be utilized exclusively for the administration, operation and modernization of the Statewide Automated Traffic System.

2. N.J.S.22A:3-4 is amended to read as follows:

Fees for criminal proceedings.

22A:3-4. Fees for criminal proceedings.

The fees provided in the following schedule, and no other charges whatsoever, shall be allowed for court costs in any proceedings of a criminal nature in the municipal courts but no charge shall be made for the services of any salaried police officer of the State, county or municipal police.

For violations of Title 39 of the Revised Statutes, or of traffic ordinances, at the discretion of the court, up to but not exceeding \$33.

For all other cases, at the discretion of the court, up to but not exceeding \$33.

In municipal court proceedings, the court shall impose court costs within the maximum limits authorized by this section, as follows:

a. For every violation of any statute or ordinance the sum of \$2.00. The court shall not suspend the collection of this \$2.00 court cost assessment. These court cost assessments shall be collected by the municipal court administrator for deposit into the Automated Traffic System Fund, created pursuant to N.J.S.2B:12-30.

b. For each fine, penalty and forfeiture imposed and collected under authority of law for any violation of the provisions of Title 39 of the Revised Statutes or any other motor vehicle or traffic violation in this State the sum of \$.50. The court shall not suspend the collection of this \$.50 court cost assessment. These court cost assessments shall be collected by the municipal court administrator for deposit into the "Emergency Medical Technician Training Fund" established pursuant to P.L.1992, c.143 (C.26:2K-54 et al.).

c. For every violation of any statute or ordinance the sum of \$3 to fund the statewide modernization of the Automated Traffic System. The court shall not suspend the collection of this \$3 court cost assessment. These court cost assessments shall be collected by the municipal court administrator for deposit into the Automated Traffic System Statewide Modernization Fund, established pursuant to section 1 of P.L.2004, c.62 (C.2B:12-30.1).

The provisions of this act shall not prohibit the taxing of additional costs when authorized by R.S.39:5-39.

For certificate of judgment..... \$4.00

For certified copy of paper filed with the court as a public record:

First page..... \$4.00

Each additional page or part thereof..... \$1.00

For copy of paper filed with the court as a public record:

First page..... \$2.00

Each additional page or part thereof..... \$1.00

In addition to any fine imposed, when a supplemental notice is sent for failure to appear on a return date the cost shall be \$10.00 per notice, unless satisfactory evidence is presented to the court that the notice was not received.

CONSTABLES OR OTHER OFFICERS

From the fees allowed for court costs in the foregoing schedule, the clerk of the court shall

pay the following fees to constables or other officers:

Serving warrant or summons, \$1.50.

Serving every subpoena, \$0.70.

Serving every execution, \$1.50.

Advertising property under execution, \$0.70.

Sale of property under execution, \$1.00.

Serving every commitment, \$1.50.

Transport of defendant, actual cost.

Mileage, for every mile of travel in serving any warrant, summons, commitment, subpoena or other process, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, exclusive of the first mile, \$0.20.

If defendant is found guilty of the charge laid against him, he shall pay the costs herein provided, but if, on appeal, the judgment is reversed, the costs shall be repaid to defendant. If defendant is found not guilty of the charge laid against him, the costs shall be paid by the prosecutor, except when the Chief Administrator of the New Jersey Motor Vehicle Commission, a peace officer, or a police officer shall have been prosecutor.

3. This act shall take effect on the first day of the third month following enactment.

Approved June 30, 2004.