

CHAPTER 237

AN ACT concerning motor vehicle liability insurance coverage and amending P.L.1972, c.197.

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

1. Section 2 of P.L.1972, c.197 (C.39:6B-2) is amended to read as follows:

C.39:6B-2 Penalties.

2. An owner or registrant of a motor vehicle registered or principally garaged in this State who operates or causes to be operated a motor vehicle upon any public road or highway in this State without motor vehicle liability insurance coverage required by P.L.1972, c.197 (C.39:6B-1 et seq.), and an operator who operates or causes a motor vehicle to be operated and who knows or should know from the attendant circumstances that the motor vehicle is without motor vehicle liability insurance coverage required by P.L.1972, c.197 (C.39:6B-1 et seq.) shall be subject, for the first offense, to a fine of not less than \$300 nor more than \$1,000 and a period of community service to be determined by the court. The court also shall suspend the person's right to operate a motor vehicle over the highways of this State for a period of one year from the date of conviction; provided, however, the period of license suspension may be reduced or eliminated if the person provides the court with satisfactory proof of motor vehicle liability insurance at the time of the hearing. Upon subsequent conviction, the person shall be subject to a fine of up to \$5,000 and shall be subject to imprisonment for a term of 14 days and shall be ordered by the court to perform community service for a period of 30 days, which shall be of a form and on terms as the court shall deem appropriate under the circumstances, and shall forfeit the person's right to operate a motor vehicle for a period of two years from the date of the conviction, and, after the expiration of the forfeiture, the person may make application to the Chief Administrator of the New Jersey Motor Vehicle Commission for a license to operate a motor vehicle, which application may be granted at the discretion of the chief administrator. The chief administrator's discretion shall be based upon an assessment of the likelihood that the individual will operate or cause a motor vehicle to be operated in the future without the insurance coverage required by this act. A complaint for violation of this act may be made to a municipal court at any time within six months after the date of the alleged offense.

Failure to produce at the time of trial an insurance identification card or an insurance policy which was in force for the time of operation for which the offense is charged creates a rebuttable presumption that the person was uninsured when charged with a violation of this section.

2. This act shall take effect immediately.

Approved January 17, 2014.