

P.L.2017, CHAPTER 249, *approved January 8, 2018*

Senate, No. 1148

1 AN ACT concerning period for filing of complaints for certain  
2 motor vehicle violations and amending R.S.39:5-3.

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

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7 1. R.S.39:5-3 is amended to read as follows:

8 39:5-3. a. When a person has violated a provision of this  
9 subtitle, the judge may, within 30 days after the commission of the  
10 offense, issue process directed to a constable, police officer, or the  
11 chief administrator for the appearance or arrest of the person so  
12 charged and for a violation of R.S.39:4-81, issue process within 90  
13 days after the commission of the offense. In the case of a violation  
14 enumerated in subsection b. of this section, this period shall  
15 commence upon the filing of a complaint.

16 b. A complaint may be made to a judge for a violation of  
17 R.S.39:3-12, R.S.39:3-34, R.S.39:3-37, R.S.39:4-129 or R.S.39:10-  
18 24 at any time within one year after the commission of the offense;  
19 for a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-  
20 50.4a), section 5 of P.L.1990, c.103 (C.39:3-10.13), section 10 of  
21 P.L.1990 c.103 (C.39:3-10.18), section 16 of P.L.1990, c.103  
22 (C.39:3-10.24), section 3 of P.L.1952, c.157 (C.12:7-46), section 9  
23 of P.L.1986, c.39 (C.12:7-57), R.S.39:3-40, or section 1 of  
24 P.L.1942, c.192 (C.39:4-128.1), at any time within 90 days after the  
25 commission of the offense.

26 c. All proceedings shall be brought before a judge having  
27 jurisdiction in the municipality in which it is alleged that the  
28 violation occurred, but when a violation occurs on a street through  
29 which the boundary line of two or more municipalities runs or  
30 crosses, then the proceeding may be brought before the judge  
31 having jurisdiction in any one of the municipalities divided by said  
32 boundary line, and in the event there shall be no judge or should no  
33 judge having such jurisdiction be available for the acceptance of  
34 bail and disposition of the case, or should the judges having such  
35 jurisdiction be disqualified because of personal interest in the  
36 proceedings, or for any other legal cause, said proceeding shall be  
37 brought before a judge having jurisdiction in the nearest  
38 municipality to the one in which it is alleged such a violation  
39 occurred.

40 (cf: P.L.2009, c.52, s.1)

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42 2. This act shall take effect immediately.

**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.**

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STATEMENT

This bill provides that charges for a violation of N.J.S.A.39:3-10.18, which penalizes driving with a suspended commercial driver's license, would have to be filed within 90 days after the offense. This is the similar to the 90-day period prescribed for filing charges against drivers who drive while their non-commercial driver's licenses are suspended.

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Provides for time period during which complaints may be filed for certain motor vehicle violations.