

P.L. 2004, CHAPTER 69, *approved June 30, 2004*  
Assembly Committee Substitute for  
Assembly, No. 3114

1 **AN ACT** establishing a Merit Rating Plan Surcharge for unsafe driving,  
2 amending P.L.2000, c.75.

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

6  
7 1. Section 1 of P.L.2000, c.75 (C.39:4-97.2) is amended to read  
8 as follows:

9 1. a. Notwithstanding any other provision of law to the contrary,  
10 it shall be unlawful for any person to drive or operate a motor vehicle  
11 in an unsafe manner likely to endanger a person or property.

12 b. person convicted of a first offense under subsection a. shall be  
13 subject to a fine of not less than \$50.00 or more than \$150.00 and  
14 shall not be assessed any motor vehicle penalty points pursuant to  
15 section 1 of P.L.1982, c.43 (C.39:5-30.5).

16 c. A person convicted of a second offense under subsection a.  
17 shall be subject to a fine of not less than \$100.00 or more than  
18 \$250.00 and shall not be assessed any motor vehicle penalty points  
19 pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

20 d. A person convicted of a third or subsequent offense under  
21 subsection a. shall be subject to a fine of not less than \$200.00 or more  
22 than \$500.00 and shall be assessed motor vehicle penalty points  
23 pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

24 e. An offense committed under this section that occurs more than  
25 five years after the prior offense shall not be considered a subsequent  
26 offense for the purpose of assessing motor vehicle penalty points under  
27 subsection d. of this section.

28 f. In addition to any fine, fee or other charge imposed pursuant to  
29 law, the court shall assess a person convicted of an offense under  
30 subsection a. of this section a surcharge of \$250 which shall be  
31 collected by the court and distributed to the Division of Revenue in the  
32 Department of the Treasury as a New Jersey Merit Rating Plan  
33 surcharge pursuant to subparagraph (a) of paragraph (2) of subsection  
34 b. of section 6 of P.L.1983, c.65 (C.17:29A-35).

35 (cf: P.L.2000, c.75, s.1)

36  
37 2. This act shall take effect July 1, 2004.

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40  
41 Establishes a Merit Rating Plan Surcharge for unsafe driving.

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.