

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2019

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 2019.

As amended and reported, this bill requires an official motor vehicle inspection facility or licensed private inspection facility to provide written notice to the owner of a motor vehicle being inspected of all open recalls applicable to the motor vehicle at the time the motor vehicle is inspected. The bill also requires the New Jersey Motor Vehicle Commission (commission) to provide written notice to the owner of a motor vehicle, at the time a vehicle is registered or upon mailing a motor vehicle's registration renewal notice, of all open recalls applicable to the motor vehicle. In both cases, the recall notice is required to describe each open recall and state that each open recall may be repaired by certain motor vehicle dealers at no cost to the owner, except in certain circumstances.

Under the bill, the Chief Administrator of the New Jersey Motor Vehicle Commission (chief administrator) is directed to require all motor vehicle manufacturers that conduct business in the State to pay an annual fee to the commission, except that the total collections of the fee may not exceed the actual costs incurred by the commission to implement the bill. Specifically, the bill requires the chief administrator to determine the amount of the fee based on documentation of the actual costs incurred by the commission associated with the implementation of the bill, which documentation would be published annually on the commission's Internet website and provided directly to each motor vehicle manufacturer that conducts business in the state.

Nothing in the bill alters the liability under common law of any motor vehicle manufacturer or motor vehicle dealer approved by a manufacturer to repair an open recall. The bill limits the liability of the chief administrator and employees of the commission for acts or omissions related to open recall notices provided pursuant to the provisions of the bill, except in cases of gross negligence.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- remove the requirement for recall notices issued by the commission at the time of registration or upon notice of a registration renewal to include a statement informing the owner of the motor vehicle that the commission will not, unless certain exceptions apply, issue a registration certificate for the motor vehicle until each open recall is repaired;
- remove the requirement for the owner of a motor vehicle to obtain the necessary repairs to the vehicle before the motor vehicle's next registration renewal;
- remove the requirement for the chief administrator of the commission to deny an application for registration renewal if the open recalls have not been remedied by the next registration renewal;
- add a requirement for all motor vehicle manufacturers that conduct business in the State to pay an annual fee to the commission, except that total collections of the fee may not exceed the total cost to implement the requirements of the bill;
- add a requirement for the chief administrator to determine the amount of the annual fee based on documentation of the actual costs incurred by the commission associated with the implementation of the bill, which documentation would also be published annually on the commission's Internet website and provided directly to each motor vehicle manufacturer that conducts business in the State;
- expand the definition of "open recall"; and
- provide technical changes to the bill, which include updating the synopsis of the bill.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.