Sponsored by:
Assemblyman JOHN S. WISNIEWSKI
District 19 (Middlesex)
Assemblyman VINCENT PRIETO
District 32 (Bergen and Hudson)
Assemblywoman ELEASE EVANS
District 35 (Bergen and Passaic)

Co-Sponsored by:
Senators Madden, S.Kean, Sacco and Rice

SYNOPSIS
Makes sundry changes to taxicab laws.

CURRENT VERSION OF TEXT
As reported by the Assembly Budget Committee on June 24, 2010, with amendments.
AN ACT concerning autocabs, amending R.S.48:16-3, and 
supplementing article 1 of chapter 16 of Title 48 of the Revised 
Statutes.

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

1. (New section) A municipality shall determine by ordinance 
the number of taxi licenses available for issuance. Whenever the 
governing body of a municipality determines to authorize the 
issuance of one or more new or additional taxi licenses, it shall 
publish a notice, in a newspaper circulating generally within the 
municipality, stating the number of new or additional licenses to be 
authorized and the application period for the new or additional 
licenses. The notice shall specify a time and date after which no 
further applications will be accepted. The notice shall be published 
at least twice and at least one week apart, with the second notice 
published at least 30 days prior to the time and date specified in the 
notice as the time and date after which no further applications will 
be accepted.

2. (New section) The provisions of section 1 of P.L. , 
c. (C. ) (pending before the Legislature as this bill) shall not be 
construed to require the issuance of any license or licenses with 
respect to which a notice has been published pursuant to that 
section 1, but in any case in which any such license or licenses have 
not been issued within six months after the closing time and date for 
acceptance of applications specified in the notice, no such license or 
licenses shall be issued without again complying with the 
provisions of that section 1 of P.L. , c. (C. ) (pending before 
the Legislature as this bill).

3. 1(New section)1 Whenever the governing body of a 
municipality determines by ordinance to issue one or more taxi 
licenses, the governing body may authorize that such license or 
licenses be issued to the highest qualified bidder therefor at a sale 
by public auction for that purpose conducted or supervised by the 
municipal clerk. The ordinance also may prescribe qualifications 
for prospective bidders; provided, however, that such qualifications 
shall not be inconsistent with any law of this State, or rule or 
regulation of any agency thereof. The ordinance may also fix a 
minimum bid and conditions of sale with the reservation of the right 
to reject all bids where the highest bid is not accepted. 1The

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.
Matter enclosed in superscript numerals has been adopted as follows:
1Assembly ATR committee amendments adopted February 18, 2010.
2Assembly ABU committee amendments adopted June 24, 2010.
ordinance may also include a requirement that the recipient of a taxi license issued pursuant to this section, as a condition of the award of such license, shall reimburse the municipality for any costs incurred by the municipality in complying with the public notice requirements established pursuant to section 1 of P.L. ____, c. (C. ___) (pending before the Legislature as this bill). In the event that more than one taxi license is issued at the same public auction, the recipients thereof shall equally split the costs of reimbursing the municipality for any costs incurred by the municipality in complying with the public notice requirements.¹

4. (New section) The owner of an autocab shall cause to be displayed on the body of the vehicle the taxi license number issued to that vehicle. The number shall be three inches in height and located in the center of the rear quarter panels on the driver and passenger sides and the rear center line of the trunk of the vehicle. Each autocab shall display on each rear door of the autocab the name of the municipality or municipalities which has issued the autocab a taxi license in letters three inches in height.

5. R.S.48:16-3 is amended to read as follows:

48:16-3. No such consent shall become effective until the provisions of subsections a. and b. of this section have been satisfied:

a. The owner of the autocab shall have filed with the clerk of the municipality in which such operation is permitted, an insurance policy of an admitted insurance company duly licensed to transact business under the insurance laws of this State, and which company is a member of the New Jersey Property-Liability Insurance Guaranty Association, conditioned for the payment of a sum of not less than $10,000, the policy providing for not less than $35,000 of motor vehicle liability insurance coverage or the amount of motor vehicle liability insurance coverage required pursuant to section 1 of P.L.1972, c.197 (C.39:6B-1), whichever is greater, to satisfy all claims for damages, by reason of bodily injury to, or the death of, any person or persons, resulting from an accident, and a sum of not less than $5,000 to satisfy any claim for damages to property of any person or persons, resulting from an accident, and a sum not less than $5,000 to
satisfy all claims for damages to property of all persons, on account of any such accident, by reason of the ownership, operation, maintenance, or use of such autocab upon any public street.

Nothing contained in this subsection shall prohibit the owner of an autocab from obtaining any additional amount of motor vehicle liability insurance coverage from a company licensed outside the State of New Jersey.

The consent shall become effective and operation thereunder shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amounts as aforesaid.

The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the autocab or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid; and

b. Each operator or driver of the autocab for which the owner thereof is seeking the consent to operate in a municipality has submitted to the performance of a criminal history record background check. The cost for the criminal history record background check, including all costs of administering and processing the check, shall be borne by the operator or driver of the autocab.

A person shall be disqualified from operating or driving an autocab if a criminal history record background check required pursuant to this subsection reveals a record of conviction of any of the following crimes:

(1) In New Jersey or elsewhere any crime as follows: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.2C:24-4, whether or not armed with or having in his possession any weapon enumerated in subsection r. of N.J.S.2C:39-1, a crime pursuant to the provisions of N.J.S.2C:39-3, N.J.S.2C:39-4, or N.J.S.2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.2C:35-2.

(2) In any other state, territory, commonwealth, or other jurisdiction of the United States, or any country in the world, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction or country is comparable to one of the crimes enumerated in paragraph (1) of this subsection.

If a person who has been convicted of one of the crimes enumerated in paragraphs (1) and (2) of this subsection can produce a certificate of rehabilitation issued pursuant to N.J.S.2A:168A-8 or, if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction
where the criminal offense occurred, the criminal offense shall not
disqualify the applicant from operating or driving an autocab.

The provisions of this subsection shall not apply to an operator
or driver of an autocab who has received the consent to operate in a
municipality prior to the effective date of P.L. , c. (C.)
(pending before the Legislature as this bill).

(cf: P.L.1959, c.53, s.1)

6. This act shall take effect on the 60th day following
enactment.