

Foreword to 2025 Edition

Title 39 of the New Jersey statutes is officially entitled “Motor Vehicle and Traffic Regulations” (the Code). This comprehensive body of motor vehicle law is well over 100 years old now and is amended frequently during each legislative term. As a result, the Code contains a mixture of antiquated and often arcane language from the turn of the 20th century, coupled with 21st century enactments. The mixture of old and new statutory and internal cross-references within the statutes can be confusing. In order to provide some measure of guidance, the following sections will explain how Title 39 is organized.

I. Subtitles

Title 39 is divided into two subtitles, each of which contains a consecutive range of chapters.

Subtitle 1 ranges from Chapter 1 (N.J.S.A. 39:1-1) through Chapter 5G (N.J.S.A. 39:5G-1).

Subtitle 2 begins at Chapter 6 (N.J.S.A. 39:6-23) and extends to the end of the title at Chapter 13 (N.J.S.A. 39:13-8.)

A frequent cross-reference to these subtitles among the statutes occurs in N.J.S.A. 39:5-36 which refers to, “a violation of any of the provisions of this subtitle.” Since N.J.S.A. 39:5-36 is located within Subtitle 1, the reference in this statute is to Subtitle 1 violations that are codified between Chapters 1 through 5G.

II. Chapters and Articles

As noted above, the two subtitles are composed of a range of chapters. Two of them, Chapters 3 and 4 are further subdivided into a series of Articles. The Articles contain a range of statutes. For example, Article 2 in Chapter 3 extends from N.J.S.A. 39:3-3 to N.J.S.A. 39:3-42. Article 5 in Chapter 4 extends from N.J.S.A. 39:4-26 to N.J.S.A. 39:4-31. A complete Chapter/Article Table is included below.

References to Articles within the statutes codified within Chapters 3 and 4 are frequent. By way of a typical example, N.J.S.A. 39:4-104 states,

“A person violating a section of this article shall, for each violation, be subject to a fine of not less than \$50.00 or more than \$200.00, or imprisonment for a period not exceeding 15 days, or both, except as herein otherwise provided.”

The reference to “a section” here means a statute. The use of the words, “this article” in the statute means Article 12, the article that contains N.J.S.A. 4-104. Thus the authorized fine extends to the range of statutes within Article 12, specifically N.J.S.A. 39:4-95 to N.J.S.A. 39:4-104.

Chapter 3 of Title 39

Article 1 - N.J.S.A. 39:3-1 to N.J.S.A. 39:3-2
Article 2 - N.J.S.A. 39:3-3 to N.J.S.A. 39:3-42
Article 3 - N.J.S.A. 39:3-43 to N.J.S.A. 39:3-79.9
Article 4 - N.J.S.A. 39:3-80 to N.J.S.A. 39:3-82
Article 5 - N.J.S.A. 39:3-84 to N.J.S.A. 39:3-84.14
Article 6 - N.J.S.A. 39:3-85.1 to N.J.S.A. 39:3-85.10
Article 7 - N.J.S.A. 39:3-86
Article 8 - N.J.S.A. 39:3-87

Chapter 4 of title 39

Article 1 - N.J.S.A. 39:4-1
Article 2 - N.J.S.A. 39:4-2 to N.J.S.A. 39:4-9.1
Article 3 - N.J.S.A. 39:4-10 to N.J.S.A. 39:4-14.11
Article 4 - N.J.S.A. 39:4-15 to N.J.S.A. 39:4-25.1
Article 5 - N.J.S.A. 39:4-26 to N.J.S.A. 39:4-31
Article 6 - N.J.S.A. 39:4-32 to N.J.S.A. 39:4-37.1
Article 7 - N.J.S.A. 39:4-38 to N.J.S.A. 39:4-45
Article 8 - N.J.S.A. 39:4-46 to N.J.S.A. 39:4-47
Article 9 - N.J.S.A. 39:4-48 to N.J.S.A. 39:4-72
Article 10 - N.J.S.A. 39:4-73 to N.J.S.A. 39:4-79
Article 11 - N.J.S.A. 39:4-80 to N.J.S.A. 39:4-94.2
Article 12 - N.J.S.A. 39:4-95 to N.J.S.A. 39:4-104
Article 13 - N.J.S.A. 39:4-105 to N.J.S.A. 39:4-122
Article 14 - N.J.S.A. 39:4-123 to N.J.S.A. 39:4-128.11
Article 15 - N.J.S.A. 39:4-129 to N.J.S.A. 39:4-134.1
Article 16 - N.J.S.A. 39:4-135 to N.J.S.A. 39:4-139.14
Article 17 - N.J.S.A. 39:4-140 to N.J.S.A. 39:4-143
Article 18 - Repealed
Article 18A - N.J.S.A. 39:4-183.1 to N.J.S.A. 39:4-183.3
Article 19 - Repealed
Article 19A - N.J.S.A. 39:4-191.1 to N.J.S.A. 39:4-191.7
Article 20 - Repealed
Article 20A - N.J.S.A. 39:4-196.1 to N.J.S.A. 39:4-196.3
Article 21 - N.J.S.A. 39:4-197 to N.J.S.A. 39:4-202
Article 22 - N.J.S.A. 39:4-203 to N.J.S.A. 39:4-203.5
Article 23 - N.J.S.A. 39:4-204 to N.J.S.A. 39:4-207.9

FOREWORD

Article 24 - N.J.S.A. 39:4-208 to N.J.S.A. 39:4-212

Article 25 - N.J.S.A. 39:4-213 to N.J.S.A. 39:4-215

Article 26 - N.J.S.A. 39:4-216

IV. Sections

The use of the word section within Title 39 is synonymous with the word statute. However, an individual statute may have many sections. The use of multiple sections is reserved for laws that address a logically related issue of legislative concern but contain multiple statutes to address the issue. For example, the drunk-driving statute is codified at Chapter 4, section 50 of Title 39 (N.J.S.A. 39:4-50.) Other contiguous sections also address related issues associated with intoxicated driving, such as the implied consent statute, section 50.2 (N.J.S.A. 39:4-50.2), the refusal to submit to a breath test (N.J.S.A. 39:4-50.4a), or the Victim's Bill of Rights, section 50.11 (N.J.S.A. 39:4-50.11).

V. Subsections

Subsections within a section are denominated with lower-case letters of the alphabet and refer to a select portion of the statute. By way of example, consider the reference to subsection (g) dealing with school-zone offenses is subsection (a) of N.J.S.A. 39:4-50.

(a) Except as provided in subsection (g) of this section, a person who operates a motor vehicle while under the influence of intoxicating liquor, narcotic, hallucinogenic or habit-producing drug, etc.

VI. Paragraphs

Paragraphs (sometimes referred to as subdivisions) within a subsection are denominated with consecutive numbers and refer to a select portion of a subsection. Accordingly, subsection (a) of a section (statute) may have three paragraphs within it, number (1), (2) and (3). By way of example, consider the reference to paragraph (1) (dealing with enhancements for driving on the revoked list following a drunk-driving suspension) in N.J.S.A. 39:3-40(f)(2):

(2) In addition to any penalty imposed under the provisions of subsections a. through e. of this section and paragraph (1) of this subsection, any person violating this section under suspension issued pursuant to R.S.39:4-50, section 2 of P.L.1981, c. 512 (C.39:4-50.4a) or P.L. 1982, c. 85 (C.39:5-30a et seq.), shall be fined \$500, shall have his license to operate a motor vehicle suspended for an additional period of not less than one year or more than two years,

and shall be imprisoned in the county jail for not less than 10 days or more than 90 days.

VII. Subparagraphs

Although rare under Title 39, subparagraphs within a paragraph are denominated with capital letters and refer to a select portion of a paragraph. Accordingly, subsection (a) of a section (statute) may have paragraphs (1) within it, and a subparagraph (A) and (B).

Please note that the case annotations are current through January 13, 2024.

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