

or jurisdiction reports a violation to the Commission, two points are assessed, as long as it is a moving violation for which New Jersey would assess points, had the violation occurred in New Jersey. However, existing N.J.A.C. 13:19-10.1 only references the statute for moving violations committed in other states that are part of the Driver License Compact (Compact), N.J.S.A. 39:5D-1 et seq.

The Compact requires that member states report various types of convictions to the state that issued the driver license, known as the "home State." The home State "shall give such effect to the conduct as is provided by the laws of the home State." N.J.S.A. 39:5D-4. Forty-five states and the District of Columbia are members of the Compact. There are five states that are not members of the Compact, Georgia, Wisconsin, Massachusetts, Michigan, and Tennessee, and, while not required to, may report violations to New Jersey. New Jersey law, at N.J.S.A. 39:5-30.6, requires that the Chief Administrator assess points against the driver record of a New Jersey driver regardless of whether the state in which the violation occurred is a Compact state.

The proposed amendment revises the point assessment chart at N.J.A.C. 13:19-10.1 to include all out-of-State moving violations reported, rather than just those reported by states who are parties to the Compact. Under the proposed amendment, two motor vehicle points will be assessed against the driver record of an individual for any out-of-State moving violation for which New Jersey would assess points had it occurred here.

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5. Since this notice is not listed in the agency rulemaking calendar, the public comment period for this notice shall be 60 days.

**Social Impact**

The Commission anticipates any social impact of this proposed amendment to be positive, as it enhances the safety of all drivers by assessing points against the driver record of those drivers who have been convicted of out-of-State moving violations. If a driver accumulates 12 or more points on his or her driving record within a period of two years or less, or 15 or more points within a period greater than two years, that person's New Jersey driving privileges are subject to suspension, thus removing unsafe drivers from the roads. Additionally, a driver who accumulates 12 to 14 points on his or her driving record in a period greater than two years, has the option to complete a Driver Improvement Program in lieu of a suspension of driving privileges. The Driver Improvement Program promotes safe driving by assisting drivers in making long-term driving behavior changes.

**Economic Impact**

The Commission anticipates that this proposed amendment may have an economic impact on those drivers who already have excessive points on their driver record if they are convicted of a moving violation in a non-Compact state. Accumulation of excess points subjects the driver to suspension of driving privileges. However, because the population of drivers who may be affected by this proposed amendment is limited to those convicted of moving violations in the five non-Compact states, the Commission does not anticipate a major economic impact on the general public. Of note, moving violations committed in both Compact and non-Compact states can result in the imposition of auto insurance surcharges pursuant to N.J.S.A. 17:29A-35, which can have an economic impact on those who commit violations that carry points.

**Jobs Impact**

The Commission does not anticipate that the proposed amendments will result in the creation or loss of jobs in the State.

**Federal Standards Statement**

A Federal standards analysis is not required because the proposed amendment is not being proposed to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

**Agriculture Industry Impact**

The Commission does not anticipate that there will be any impact on the agriculture industry as a result of the proposed amendment.

**Regulatory Flexibility Statement**

A regulatory flexibility analysis is not required because the proposed amendment would impose no reporting, recordkeeping, or other compliance requirements upon small businesses as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rulemaking governs the assessment of points against driver records for out-of-State moving violations; the proposed amendment will not have any effect on small businesses or private industry in general.

**Housing Affordability Impact Analysis**

The proposed amendment will have no impact on housing affordability or the costs associated with housing because the proposed amendment pertains to the assessment of points against driver records for out-of-State moving violations.

**Smart Growth Development Impact Analysis**

The proposed amendment will have an insignificant impact on smart growth and there is an extreme unlikelihood that the proposed amendment would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed amendment pertains to out-of-State moving violation consequences.

**Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Commission has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposal follows (addition indicated in boldface **thus**; deletion indicated in brackets [thus]):

SUBCHAPTER 10. POINT SYSTEM AND DRIVING DURING SUSPENSION

13:19-10.1 Point assessment

(a) Any person who is convicted of any of the following offenses, including offenses committed while operating a motorized bicycle, shall be assessed points for each conviction in accordance with the following schedule:

Section Number	Offense	Points
...		
55.	N.J.S.A. [39:5D-4] <b>39:5-</b> Moving violation Out-of-State	2
	<b>30.6</b>	

(b) (No change.)

**(a)**

**MOTOR VEHICLE COMMISSION**

**Licensing Services**

**Title to Vehicles Abandoned at Repair Facilities**

**Proposed New Rules: N.J.A.C. 13:21-11A**

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Authority: N.J.S.A. 39:2-3, 39:2A-21, 39:2A-28, 39:10-4, and 39:10A-19.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2020-095.

Submit comments by December 18, 2020, to:

Kate Tasch, Director  
Legal and Regulatory Affairs  
Motor Vehicle Commission  
225 East State Street  
PO Box 162  
Trenton, NJ 08666-0162

or via email to: [rulecomments@mvc.nj.gov](mailto:rulecomments@mvc.nj.gov)

The agency proposal follows:

#### Summary

The Motor Vehicle Commission (Commission) received a notice of petition for rulemaking focused on motor vehicles abandoned at repair facilities and, in accordance with N.J.A.C. 1:30-4.1(c) and 13:18-4.1(c), that petition was published in the New Jersey Register on February 3, 2020, at 52 N.J.R. 170(a). Thereafter, a notice of action on the petition was published in the New Jersey Register on March 16, 2020, at 52 N.J.R. 538(b). The Commission has considered the petition as submitted and determined that new rules should be promulgated to declare a vehicle abandoned, outline the processes and procedures for obtaining title to vehicles abandoned at motor vehicle repair facilities, and allow a motor vehicle repair facility to keep the proceeds from the sale of an abandoned vehicle. The processes and procedures set forth in the new rules include providing fair notice to the vehicle owner or lienholder of the repair facility's intent to remove and store a vehicle, and the procedure to sell a vehicle abandoned at a motor vehicle repair facility and subsequently transfer the title of the abandoned vehicle pursuant to N.J.S.A. 39:10A-9 et seq.

The following is a summary of the new rules that the Commission is proposing:

N.J.A.C. 13:21-11A.1, Purpose and scope, establishes the purpose and scope of the proposed new rules.

N.J.A.C. 13:21-11A.2, Definitions, provides the definitions for various pertinent terms, including "abandoned vehicle" and "repair facility."

N.J.A.C. 13:21-11A.3, Removal and storage, sale or obtaining junk title certificate; inapplicability if dispute between repair facility and owner on amount due, informs the repair facility owner of the ability to remove, store, sell, or obtain a junk title certificate to the abandoned vehicle, and provides protection for the vehicle owner that no sale of the abandoned vehicle will occur as a result of a dispute of an amount due to the motor vehicle repair facility.

N.J.A.C. 13:21-11A.4, Notice to owner of intent to remove and store, provides the repair facility owner or authorized representative with the requirements for providing proper notice to the vehicle's owner or lienholder of the repair facility's intent to remove and store the abandoned vehicle.

N.J.A.C. 13:21-11A.5, Notice of intent to sell and of date, time, place, and manner of sale, provides the repair facility owner or authorized representative with the requirements for providing proper notice to the owner or lienholder of an abandoned vehicle of the intent to sell the vehicle at public or private sale.

N.J.A.C. 13:21-11A.6, Junk title certificate; issuance; notice, provides the repair facility owner or authorized representative with the requirements for providing proper notice and procedure to inform the owner or lienholder of an abandoned vehicle of the facility holder's intent to apply for a junk title certificate.

N.J.A.C. 13:21-11A.7, Notices; writing; method of delivery; publication, outlines the required forms and types of notices required by the proposed new subchapter.

N.J.A.C. 13:21-11A.8, Reclamation of possession by owner prior to sale or issuance of junk title certificate, sets forth the procedure to be followed by an owner of an abandoned vehicle to obtain possession of their vehicle prior to any sale or issuance of a junk title certificate.

N.J.A.C. 13:21-11A.9, Sale of motor vehicle; certificate of ownership; application; issuance; fee, delineates the procedures through which a repair facility owner or authorized representative may sell an abandoned vehicle and seek issuance of a certificate of ownership for the vehicle purchaser from the Commission.

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5. Since this notice is not listed in the agency rulemaking calendar, the public comment period for this notice will be 60 days.

#### Social Impact

The Commission anticipates that the proposed new rules will have a positive social impact on New Jersey motor vehicle repair facility owners, vehicle owners, vehicle lienholders, and purchasers of abandoned vehicles. The Commission receives approximately 500 to 1,000

applications each year from motor vehicle repair facilities for abandoned vehicles. The proposed new rules codify the procedure for applicants to sell a vehicle abandoned at a repair facility and seek the transfer of title to the vehicle purchaser or to receive a junk title certificate.

Through several means, the proposed new rules also protect vehicle owners and lienholders of vehicles abandoned at repair facilities. First, they require applicants to perform lien searches on the abandoned vehicle within the State of New Jersey, as well as through a national database, and in New York, Delaware, Pennsylvania, Connecticut, and Maryland to identify possible owners and lienholders. Second, under the proposed new rules, vehicle owners and lienholders will be required to receive notice the vehicle is abandoned and of the intent to sell or obtain a junk title certificate to the vehicle. Additionally, repair facilities must supply proper notice to owners and lienholders that the vehicle is being treated as abandoned and that the facility intends to sell the vehicle or obtain a junk title certificate to the vehicle. Finally, it creates a procedure through which the owner or lienholder can recover the vehicle.

The proposed new rules will also protect purchasers of abandoned vehicles. Purchasers may only obtain title to the abandoned vehicle by purchasing the vehicle from a repair facility that has complied with the proposed new rules, reducing the risk that they would be purchasing a vehicle with an undisclosed lien or ownership interest.

#### Economic Impact

The proposed new rules will have a positive economic impact. The proposed new rules provide repair facility owners with a codified procedure for the sale or disposal of vehicles abandoned at their facility. Under the proposed new rules, the owner and any lienholder will be identified by the facility and provided with notice of the intent to sell the abandoned vehicle. Notice will also afford the owner and lienholder an opportunity to settle their account with the repair facility and reclaim their vehicle.

#### Federal Standards Statement

A Federal standards analysis is not required because the proposed new rules are not being proposed to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

#### Jobs Impact

The Commission does not anticipate any jobs impact. The proposed new rules codify a procedure for motor vehicle repair facility owners to sell vehicles abandoned on their business premises. The Commission does not anticipate that additional vehicles will be abandoned at repair facilities because of the proposed new rules.

#### Agriculture Industry Impact

The Commission does not anticipate that there will be any impact on the agriculture industry as a result of the proposed new rules.

#### Regulatory Flexibility Analysis

The Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., defines a "small business" as any business resident in this State that employs fewer than 100 employees full-time, is independently owned and operated, and is not dominant in its field. Some of the businesses affected by the proposed new rules are small businesses.

The proposed new rules do not require any specific reporting or recordkeeping requirements that small businesses would be required to maintain. The proposed new rules codify a procedure for an applicant to sell an abandoned vehicle. The new rules require a lien search to determine any owner and lienholder. The new rules require an applicant to provide notices by certified mail to the known owner or lienholder and to provide notice by publication in local newspapers, where required. Compliance with the proposed new rules requires lien search and notice costs for mailing and potentially for newspaper publication.

The proposed new rules balance the time and cost an applicant must expend to provide adequate notice to any known owner and lienholder, as well as those that cannot be located, with the protection that the notice provides to owners and lienholders time to object to the vehicle's sale and protect their interests. Vehicle owners are given notice totaling 35 days prior to completion of a sale.

The cost of compliance with the proposed new rules will be administrative in nature; no professional services are required to comply. Therefore, the Commission anticipates a very small impact on small businesses. Requirements must be uniform for all applicants to ensure adherence to statutory and regulatory requirements.

**Housing Affordability Impact Analysis**

The proposed new rules will have no impact on housing affordability in New Jersey, and there is an extreme unlikelihood that they will evoke a change in the costs associated with housing because the rules pertain to vehicles abandoned at motor vehicle repair facilities.

**Smart Growth Development Impact Analysis**

The proposed new rules will have no impact on smart growth and there is an extreme unlikelihood that the rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rules pertain to vehicles abandoned at motor vehicle repair facilities.

**Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Commission has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposed rules follows:

**SUBCHAPTER 11A. VEHICLES ABANDONED AT REPAIR FACILITIES**

**13:21-11A.1 Purpose and scope**

This subchapter sets forth the procedure an applicant must follow to sell or dispose of a vehicle abandoned at a motor vehicle repair facility, pursuant to N.J.S.A. 39:10A-8 through 20.

**13:21-11A.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Abandoned motor vehicle” means a motor vehicle that has been left at a motor vehicle repair facility:

1. Without an attempt by the owner, a person on the owner’s behalf, or any other person having a legal right to the vehicle to regain possession thereof, for a period in excess of 60 days without the consent of an authorized representative of the motor vehicle repair facility;
2. For a period of 60 days in excess of the period for which consent has been given by an authorized representative of the motor vehicle repair facility; or
3. For a period in excess of 60 days after being notified by an authorized representative of the motor vehicle facility that service or repairs to the motor vehicle have been completed.

“Commission” means the New Jersey Motor Vehicle Commission.

“Lienholder” means a person holding a security interest in a motor vehicle, identified as a result of the lien searches performed pursuant to this subchapter.

“Motor vehicle repair facility” means a corporation, partnership, or sole proprietorship legally registered to conduct business, including the repair of motor vehicles in New Jersey.

“Person” includes natural persons, firms or copartnerships, corporations, associations, or other artificial bodies, receivers, trustees, common law or statutory assignees, executors, administrators, sheriffs, constables, marshals, or other persons in representative or official capacity, and members, officers, agents, employees, or other representatives of those hereinbefore enumerated.

“Security interest” means an interest in a motor vehicle that secures payment or other performance of an obligation.

**13:21-11A.3 Removal and storage, sale, or obtaining junk title certificate; inapplicability if dispute between repair facility and owner on amount due**

(a) An authorized representative of a motor vehicle repair facility may take one or more of the following actions with respect to an abandoned motor vehicle:

1. Remove and store, or hire another person to remove and store, the motor vehicle pursuant to the provisions of this subchapter;
2. Sell, or cause the motor vehicle to be sold, at public or private sale, pursuant to the provisions of this subchapter; or
3. Cause a junk title certificate to be issued, pursuant to N.J.S.A. 39:10A-12, for the motor vehicle pursuant to the provisions of this subchapter.

(b) No motor vehicle shall be sold and no junk title certificate shall be issued pursuant to this subchapter where the cause for a motor vehicle being left in the possession of a motor vehicle repair facility for a period in excess of that set forth in this subchapter (see N.J.A.C. 13:21-11A.2 for the definition of an “abandoned motor vehicle”) is a dispute between the motor vehicle repair facility and the owner of the motor vehicle or other person having a legal right thereto regarding the amount to be paid in order to regain possession of the motor vehicle.

**13:21-11A.4 Notice to owner of intent to remove and store**

(a) Prior to the removal and storage of a motor vehicle pursuant to the provisions of this subchapter, an authorized representative of a motor vehicle repair facility shall give the owner of the motor vehicle or other person having a legal right to it 30 days notice of the facility’s intent to remove and store the motor vehicle. The notice shall be sent to the owner, or other person having a legal right to the vehicle, as determined by a search of the records of the Commission using forms to be supplied by the Commission, accompanied by the fee specified by the Commission for the search.

1. If the Commission reports having no record of ownership of the motor vehicle on file, the motor vehicle repair facility shall then obtain either a title search through the National Motor Vehicle Title Information System (NMVTIS), or a title and lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland. If a search using NMVTIS results in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall contact the state in which the motor vehicle was last titled to verify the owner and any holder of a security interest in the motor vehicle. If a NMVTIS search does not result in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall obtain a lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland.

2. Proof of ownership and the identity of any lienholder must be certified and issued by the state in which the motor vehicle was last titled. Third-party searches are not acceptable as proof of ownership or as proof of liens.

3. If the Commission has reason to believe that the vehicle may have been titled, registered, or primarily operated in another state, the Commission may also require a motor vehicle repair facility to perform a title and lien search in any state where the abandoned motor vehicle is titled, registered, or primarily operated in, and submit the title and lien search results to the Commission.

**13:21-11A.5 Notice of intent to sell and of date, time, place, and manner of sale**

(a) Prior to the sale of an abandoned motor vehicle, the motor vehicle repair facility or its authorized representative shall:

1. Obtain the required forms and procedures regarding motor vehicles abandoned at motor vehicle repair facilities by contacting the New Jersey Motor Vehicle Commission, Special Titles-Abandoned Title Unit, 225 East State Street, PO Box 017, Trenton, New Jersey, 08666-0017, or online at [www.njmvc.gov](http://www.njmvc.gov).
2. Give the owner or other person having a legal right thereto, the holder of any security interest in the motor vehicle, and the Chief Administrator 30 days notice of the intent to sell the motor vehicle or cause it to be sold; and

3. Give the owner or other person having a legal right thereto and the holder of any security interest in the motor vehicle at least five days' notice of the date, time, place, and manner of the proposed sale.

(b) The notices required by this section shall be sent to the owner or other person having a legal right thereto, and the holder of any security interest in the motor vehicle, as determined through the search procedure set forth at N.J.A.C. 13:21-11A.4.

1. If there is no record of ownership of the motor vehicle on file with the Commission, the notices shall be sent to the owner or other person having a legal right thereto, and the holder of any security interest in the motor vehicle, as determined by the title and lien search performed as follows: the motor vehicle repair facility shall either obtain a title search through the National Motor Vehicle Title Information System (NMVTIS) or obtain a title and lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland. If a search using NMVTIS results in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall contact the state in which the motor vehicle was last titled to verify the owner and any holder of a security interest in the motor vehicle. If a NMVTIS search does not result in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall obtain a lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland.

2. Proof of ownership and the identity of any lienholder must be certified and issued by the state in which the motor vehicle was last titled. Third-party searches are not acceptable as proof of ownership or as proof of liens.

3. If the Commission has reason to believe that the vehicle may have been titled, registered, or primarily operated in, or registered in, another state, the Commission may also require a motor vehicle repair facility to perform a title and lien search in any state where the abandoned motor vehicle is titled, registered, or primarily operated in, and submit the title and lien search results to the Commission.

13:21-11A.6 Junk title certificate; issuance; notice

(a) If a motor vehicle repair facility determines that a motor vehicle subject to the provisions of this subchapter is incapable of being operated safely or of being put in safe operational condition, except at a cost in excess of the value thereof, the motor vehicle repair facility may apply to the Commission for issuance of a junk title certificate.

(b) In applying for issuance of a junk title certificate, an authorized representative of the motor repair facility shall certify to the Commission, on a form prescribed by the Chief Administrator, that the motor vehicle is incapable of being operated safely or of being put in safe operational condition, except at a cost in excess of the value thereof.

(c) No junk title certificate shall be issued unless the motor vehicle repair facility first gives 30 days notice of its intention to obtain a junk title certificate to the owner of the motor vehicle or other person having a legal right thereto and to the holder of any security interest in the motor vehicle. The notice required by this section shall be sent to the owner or other person having a legal right thereto and the holder of any security interest in the motor vehicle as determined by a search of the records of the Commission using forms to be supplied by the Commission, accompanied by the fee specified by the Commission for the search.

1. If there is no record of ownership of the motor vehicle on file with the Commission, the notice shall be sent to the owner or other person having a legal right thereto and the holder of any security interest in the motor vehicle as determined by the title and lien search performed as follows: the motor vehicle repair facility shall either obtain a title search through the National Motor Vehicle Title Information System (NMVTIS) or obtain a title and lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland. If a search using NMVTIS results in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall contact the state in which the motor vehicle was last titled to verify the owner and any holder of a security interest in the motor vehicle. If a NMVTIS search does not result in a record of ownership of the motor vehicle, the motor vehicle repair facility or authorized representative shall obtain a lien search from each of the following states: New York, Delaware, Pennsylvania, Connecticut, and Maryland.

2. Proof of ownership and the identity of any lienholder must be certified and issued by the state in which the motor vehicle was last titled. Third-party searches are not acceptable as proof of ownership or as proof of liens.

3. If the Commission has reason to believe that the vehicle may have been titled, registered, or primarily operated in, or registered in, another state, the Commission may also require a motor vehicle repair facility to perform a title and lien search in any state where the abandoned motor vehicle is titled, registered, or primarily operated in, and submit the title and lien search results to the Commission.

(d) Application for a junk title certificate shall be made on a form prescribed by the Chief Administrator and shall include a copy of the notice and proof of mailing, proof that the notice was unclaimed by the addressee, or a certification that the address of the person to whom the notice is to be given is unknown, and cannot be ascertained from the title and lien searches conducted pursuant to this subchapter, and a certified affidavit of newspaper publication. (See N.J.A.C. 13:21-11A.7.)

(e) A fee specified by the Commission shall accompany the application for issuance of a junk title certificate.

13:21-11A.7 Notices; writing; method of delivery; publication

The notices required for intent to remove and store, intent to sell, and intent to seek issuance of a junk title certificate shall be in writing and sent by certified or registered mail, return receipt requested, to the last known address of the person identified in the title and lien searches, as required by this subchapter. In the event the notice is unclaimed by the addressee, or if the address of the person to whom the notice is to be given is unknown to the repair facility giving the notice and cannot be ascertained from the title and lien searches required by this subchapter, the notice shall be given by publishing it twice, over two consecutive weeks, in at least one newspaper published in this State and circulating in the municipality in which the motor vehicle is abandoned.

13:21-11A.8 Reclamation of possession by owner prior to sale or issuance of junk title certificate

At any time prior to the sale of the motor vehicle or the issuance of a junk title certificate for the vehicle, the owner of the motor vehicle may reclaim possession of the motor vehicle from the motor vehicle repair facility, or other person with whom the motor vehicle is stored, pursuant to N.J.S.A. 39:10A-8 et seq., upon payment of the reasonable costs of removal and storage of the motor vehicle, the expenses incurred pursuant to the provisions in this subchapter, and the charges for the servicing or repair of the motor vehicle.

13:21-11A.9 Sale of motor vehicle; certificate of ownership; application; issuance; fee

(a) No certificate of title to a motor vehicle that has been sold, or a junk title certificate shall be issued, unless the repair facility has submitted the documents pursuant to this subsection, in the order and form required, to the Commission. Any incomplete documents or incorrect information may cause the application for certificate of title to be rejected by the Commission and the application returned to the motor vehicle repair facility for proper completion. The following documents must be submitted:

1. A completed Application for Certificate of Title on the form provided by the Chief Administrator and accompanied by a fee of \$60.00. An additional fee of \$25.00 will be due if the completed Application for Certificate of Title is not submitted to the Commission within 10 days of the date of sale, pursuant to N.J.A.C. 13:21-4.2(e);

2. The repair bill, or estimate, on the motor vehicle repair facility's letterhead, which must include, at a minimum, the year, make, model, and vehicle identification number of the motor vehicle;

3. A notarized affidavit stating the following:

i. The motor vehicle repair facility's name, address, and daytime telephone number;

ii. How the abandoned motor vehicle came into the motor vehicle repair facility's possession;

iii. The address where the motor vehicle was abandoned;

iv. How long the abandoned motor vehicle has been in the motor vehicle repair facility's possession;

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v. The abandoned motor vehicle's year, make, model, and vehicle identification number; and

vi. The steps taken by the motor vehicle repair facility to locate the abandoned motor vehicle's owner;

4. A copy of the 30-day notice and proof of mailing, proof that the notice was unclaimed by the addressee, or a certification that the address of the person to whom the notice is to be given is unknown and cannot be ascertained from the title and lien searches conducted pursuant to this subchapter, and a certified affidavit of newspaper publication;

5. A copy of the five-day notice and proof of mailing, proof that the notice was unclaimed by the addressee, or a certification that the address of the person to whom the notice was to be given is unknown and cannot be ascertained from the title and lien searches conducted pursuant to this subchapter, and a certified affidavit of newspaper publication;

6. A completed Report of Possession of Abandoned Vehicle at a Repair Facility on the form provided by the Chief Administrator;

7. A legible pencil tracing or photograph of the motor vehicle's vehicle identification number;

8. One photograph each of the front, back, passenger, and driver's side of the motor vehicle;

9. A certification setting forth the form of sale, the sale amount, the expenses of the sale, the costs, and expenses incurred in the removal and storage of the motor vehicle, and the charges of the motor vehicle repair facility for the servicing and repair of the motor vehicle;

10. A certification from the motor vehicle repair facility stating that the sale of the motor vehicle was in conformity with the provisions of this subchapter; and

11. A copy of the purchaser's driver license or, if the purchaser is not an individual, the entity's identification number assigned by the Commission pursuant to N.J.A.C. 13:21-25.

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