

[Second Reprint]

ASSEMBLY, No. 4723

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED OCTOBER 11, 2022

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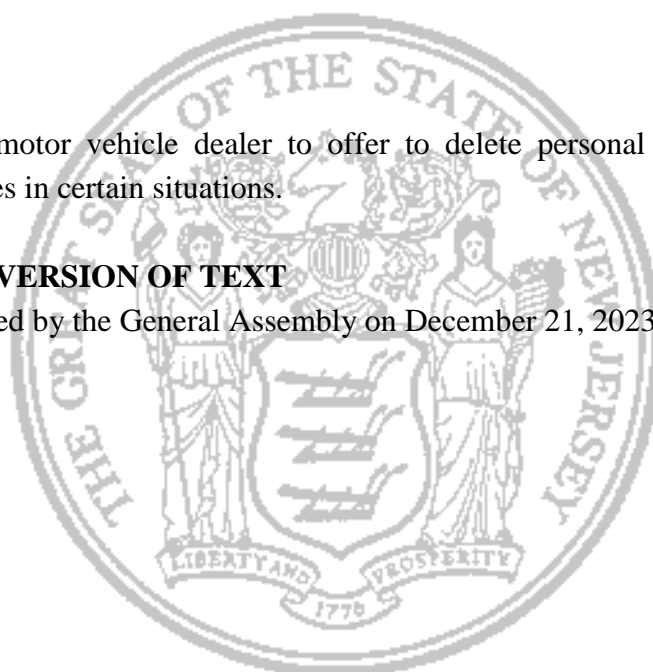
**Assemblywoman Carter, Assemblyman Stanley, Assemblywomen Pintor
Marin, Swain, Park and Haider**

SYNOPSIS

Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations.

CURRENT VERSION OF TEXT

As amended by the General Assembly on December 21, 2023.



(Sponsorship Updated As Of: 1/8/2024)

1 AN ACT concerning motor vehicle dealers and supplementing Title
2 56 of the Revised Statutes.

3

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

6

7 1. a. Whenever a motor vehicle dealer takes possession of a
8 motor vehicle from a consumer for the purpose of resale or lease, the
9 motor vehicle dealer shall ¹offer to¹ delete the consumer's personal
10 information ¹~~from the motor vehicle's computer system~~ in the motor
11 vehicle, including, but not limited to, navigation history, paired
12 phones, and garage door codes, by performing data clearing protocols
13 in accordance with the Guidelines for Media Sanitization developed by
14 the National Institute of Standards and Technology using techniques
15 specified by the vehicle manufacturer to overwrite data or by using a
16 menu option to reset the device to original factory settings¹.

17 b. A motor vehicle dealer who violates the provisions of this
18 section shall be subject to a civil penalty of \$500 for a first offense,
19 and \$1,000 for any subsequent offense, to be collected and enforced by
20 the Director of the Division of Consumer Affairs in the Department of
21 Law and Public Safety in a summary proceeding pursuant to the
22 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et
23 seq.). The Superior Court shall have jurisdiction ¹~~of~~ over¹
24 proceedings for the enforcement of the penalty provided by this
25 section.

26 c. ¹A motor vehicle dealer may charge a reasonable fee for
27 services performed in connection with the requirements of this section.
28 ²The dealer shall disclose the fee to the consumer prior to performing
29 the service and shall advise the consumer that the consumer may
30 attempt to delete the personal information themselves or through
31 another vendor.²

32 d. ¹As used in this section:

33 "Motor vehicle" has the same meaning as defined in R.S.39:1-1.

34 "Motor vehicle dealer" means any business that engages in selling
35 or leasing motor vehicles to consumers.

36

37 2. This act shall take effect immediately.

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 AST committee amendments adopted March 23, 2023.

²Assembly floor amendments adopted December 21, 2023.