

[First Reprint]

**SENATE, No. 2784**

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**STATE OF NEW JERSEY**  
**216th LEGISLATURE**

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INTRODUCED MARCH 9, 2015

**Sponsored by:**

**Senator JEFF VAN DREW**

**District 1 (Atlantic, Cape May and Cumberland)**

**Senator JIM WHELAN**

**District 2 (Atlantic)**

**SYNOPSIS**

Provides maximum sales and use tax imposition amount for sales and uses of boats and vessels; establishes grace period for imposition of use tax on certain boats and vessels used by resident purchasers.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on June 22, 2015, with amendments.



**(Sponsorship Updated As Of: 3/10/2015)**

1 AN ACT providing a maximum sales and use tax imposition amount  
 2 for sales and uses of boats and vessels and establishing a grace  
 3 period for the imposition of use tax on certain boats and vessels  
 4 used by resident purchasers, supplementing P.L.1966,  
 5 c.30 (C.54:32B-1 et seq.).

6  
 7 **BE IT ENACTED** by the Senate and General Assembly of the State  
 8 of New Jersey:

9  
 10 1. Notwithstanding the provisions of P.L.1966,  
 11 c. 30 (C.54:32B-1 et seq.) to the contrary, the maximum amount of  
 12 tax imposed and collected on the sale or use of a boat or other  
 13 vessel shall not exceed \$20,000.

14  
 15 2. a. Notwithstanding the provisions of P.L.1966,  
 16 c. 30 (C.54:32B-1 et seq.) to the contrary, the use within this State  
 17 of a boat or other vessel for temporary periods, not totaling more  
 18 than <sup>1</sup>**[30]** 90<sup>1</sup> calendar days in a calendar year, shall not be subject  
 19 to the compensating use tax imposed by section 6 of P.L.1966,  
 20 c.30 (C.54:32B-6), provided that:

21 (1) the boat or other vessel was purchased by a resident of the  
 22 State of New Jersey outside of this State for use outside of this  
 23 State,

24 (2) the boat or other vessel is legally operated by the resident  
 25 purchaser and meets all current requirements pursuant to applicable  
 26 federal law or pursuant to a federally-approved numbering system  
 27 for boats and vessels adopted by another state, and

28 (3) the resident purchaser is not engaged in or carrying on in  
 29 this State any employment, trade, business, or profession in which  
 30 the boat or vessel will be used in this State.

31 b. If any of the conditions specified by subsection a. of this  
 32 section have not been met, or after having been met fail to continue  
 33 to be met, the exemption provided by subsection a. of this section  
 34 shall not apply.

35  
 36 3. Notwithstanding the provisions of the “Administrative  
 37 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to the  
 38 contrary, the Director of the Division of Taxation in the Department  
 39 of the Treasury may adopt immediately upon filing with the Office  
 40 of Administrative Law such rules and regulations as the director  
 41 determines to be necessary to implement the provisions of P.L. ,  
 42 c. (C. ) (pending before the Legislature as this bill), which  
 43 rules and regulations shall be effective for a period not to exceed  
 44 360 days following the effective date of P.L. , c. (C. )

**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:

<sup>1</sup>Senate SBA committee amendments adopted June 22, 2015.

1 (pending before the Legislature as this bill) and may thereafter be  
2 amended, adopted, or readopted by the director in accordance with  
3 the requirements of P.L.1968, c.410.

4

5 4. This act shall take effect immediately, provided that section  
6 1 shall apply to sales and uses on or after the first day of the second  
7 month next following the date of enactment and that section 2 shall  
8 apply to uses on or after January 1 next following the date of  
9 enactment.