

SECOND ANNUAL REPORT

OF THE

Commissioner of Motor Vehicles

TO THE LEGISLATURE—SESSION OF 1908

TRENTON, N. J.

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1908.

REPORT.

To the Legislature of the State of New Jersey:

In pursuance with the provisions of the twelfth section of Chapter 113 of the Laws of 1906, I am, under the direction of the Secretary of State, herewith transmitting to the Legislature my second annual report of the operation of the Department of Motor Vehicles for the year ending December 31, 1907, together with a few observations regarding the efficiency of our present laws, and possibly some suggestions which, in the experience of the department, seem indicated, with a view to shaping legislation for the immediate future.

In my report of a year ago I discussed at some length several suggestions for amendments to the law which the experience of that year had indicated as being in the line of progress. The last Legislature, however, adopted only one of these suggestions, which was vetoed by the Governor, so that the Frelinghuysen law as passed in 1906 remained unchanged.

In failing to adopt these suggestions the Legislature undoubtedly pursued a wise course. While the experience of last year has not served to change materially the department's views, as expressed in the former report, but, rather, to strengthen and intensify them, it has taught us much more clearly than it then appeared that neither the motoring nor the non-motoring public are yet anywhere nearly able to agree, either among themselves or with each other, regarding what should constitute wise and equitable legislation, and until some such substantial agreement can be effected experiments with a law so generally efficient as the Frelinghuysen act has proved would be unwise.

A careful investigation of motor vehicle conditions and of legislation affecting them in the different cities and countries where this modern and efficient means of travel is carried on

clearly indicates the superiority of our own laws. Few Legislatures have had the question brought to their attention with the earnestness that has maintained in New Jersey. Its dense population, its close proximity to the greatest of American cities, its numerous health and pleasure resorts, its great industrial centers, its splendid system of country roads, its thrifty and compact rural enterprises, all combine to make the regulation of the use of motor vehicles within the State of utmost importance. For these reasons, New Jersey has naturally been called upon to give the subject its best thought, and our legislation has been conceived and enacted not only in a spirit of equity and fairness, looking to the protection of the natural rights of all the people, but in a manner to promote in the highest degree consistent with these rights, their material prosperity and their enjoyment.

There have been those, both of our own and other States, who have unfavorably compared our laws with other enactments. Their criticisms have probably been, in the main, earnest and sincere, but in the light of New Jersey's needs, it can hardly be said that they have thoroughly considered the subject. In fact, these critics are generally either those who would remove all barriers of restraint and regulation, or those who believe that motor vehicles have no proper place on our highways, and who would legislate in a way to make their further use impractical. Neither of these opponents to proper regulation seems fitted to advise legislators regarding laws looking to the equitable and fair protection of all who use the highways. The purpose of each are fundamentally opposed to regulation. The one would legislate against all use of the motor vehicles, and the other would abstain from all legislation. As long as it is the policy of the State to regulate, rather than either to prohibit the use of motor vehicles or to give unrestrained privileges to them, suggestions for strengthening and reforming our laws should naturally come from those who are in sympathy with their general policy. But even with the sincere advocates of regulation, there are such a multitude of opinions regarding different phases of the question that it seems almost impossible to get any considerable number of persons to substantially agree on any given question. This, however, is perhaps not an extraordinary condition. It is prob-

ably only the outcome of the novelty and the rapid development of the new means of locomotion.

Both its uses and its abuses appeal with varying degrees of force and importance to individuals. Those without preconceived opinions are apt to form—either through inexperience or a natural tendency to express judgment too hastily—insufficiently thought out opinions; while those who have a pronounced sentiment either in favor of or against any particular question of regulation are with much greater difficulty able to express fair, and at the same time, intelligent opinions. Time will certainly work its inevitable result, and, as experience increases, the best thought of the people will take concrete form in practical suggestion and will indicate a way for the preparation of those measures necessary to perfect our present laws. This transitory period is in common with the development of all new and important legislation, and as the individual mind more clearly understands the needs, the legislative mind will more accurately reflect these needs into law.

Accordingly, while it would perhaps be a pleasure to restate at length the propositions contained in our last report and discuss from the viewpoint of the department the provisions of an "ideal" motor vehicle law, it would seem to be an unnecessary expenditure of legislative time and effort.

The few points upon which substantial agreement has been reached are well understood, and will doubtless be clearly presented to the Legislature. The question of fees paid for licenses and registrations appears to be nearing solution, and there seems to be a general agreement that larger fees should be paid. The amount of the increase, however, is still a matter of serious consideration of the Legislature will doubtless proceed along both progressive and conservative lines in dealing with this question.

The questions of an increased number of inspectors and of a better identification device are perhaps in exactly the same class. Practically all agree that both more efficient identification and that more inspectors should be provided, but few are able to agree either upon what actually constitutes sufficient identification or upon what should be the proper number of inspectors.

Proper identification is the keynote to all efficient regulation, yet such identification should not be made unduly burdensome. The real value of the law must, in the end, depend upon the efficiency of those whose duty it is to enforce it. The final solution of both the identification and the inspector questions will doubtless be reached by easy stages.

THE DEPARTMENT: ITS DIVISIONS.

It will be recalled that the functions of the department are three-fold. It is, first, a license and commission issuing and record keeping department; second, a peace or police department; and third, a judicial department.

The functions of the first are co-ordinate with those of the Department of State, and may properly be performed by that department.

The second and third each possess separate governmental features, and while they are all legally under one head, we have endeavored to maintain each on as nearly an independent basis as is consistent with sound economy and the spirit of the act.

The department has accordingly been divided into three divisions, namely: the registration division, the administrative division and the judicial division.

REGISTRATION DIVISION.

This division, which is maintained entirely by and in connection with the Department of State, actually becomes one of the divisions of that department. Its offices are in the suite provided for the State Department. Besides these offices, agencies for the issuing of registration certificates and the granting of drivers' licenses have been located at the following places:

Jersey City—Joseph Gallagher, 1 Montgomery street.

Newark—A. B. LeMassena, Central R. R. Building.

Phillipsburg—Joseph Poulsen.

Camden—Joseph H. Forsyth, 211 Market street.

Asbury Park—Charles R. Zacharias, Eagle Block.

Seabright—Frank Reigleman.

Freehold—Augustus R. White.

Plainfield—F. L. C. Martin, George McIntyre.

Bridgeton—William Evans.

Rahway—Frank P. Freeman.

Edgewater—Louis P. Bamheim.

Branchville—Charles H. Crisman.

Morristown—Willis Dutton.

Atlantic City—Louis H. Hoopes, 12 S. North Carolina avenue.

Ringwood—John D. Prince.

Perth Amboy—William B. Floersch.

Lambertville—Samuel D. Morse.

Vineland—Herbert A. Wall.

West Hoboken—A. J. Fondeville.

Newark—Theodore Nisbet.

Elizabeth—Stanley L. Reed.

Spring Lake Borough—Clark Clayton.

Lakewood—George W. Thompson.

Hackensack—John B. Brooke.

The number of registration certificates and drivers' licenses and the amount of fees returned to the State are as follows:

<i>Agency.</i>	<i>Registra- tions.</i>	<i>Licenses.</i>	<i>Total.</i>
Trenton,	4,643	3,372	\$20,754 00
Camden,	2,628	2,649	12,117 04
Jersey City,	2,456	2,874	12,098 83
Newark (LeMassena),	2,602	2,839	10,075 00
(Nisbit),	353	410	1,992 25
Hackensack,	2,144	2,254	10,569 25
Plainfield (Martin,)	677	840	3,030 50
(McIntyre),	23	26	80 00
Asbury Park,	365	613	1,813 50
Morristown,	337	491	1,498 00
Phillipsburg,	282	301	1,158 25
Seabright,	240	380	1,163 00

Agency.	Registra- tions.	Licenses.	Total.
Edgewater,	246	299	\$1,192 75
Bridgeton,	97	111	354 00
Atlantic City,	148	208	726 25
Perth Amboy,	111	115	431 25
Rahway,	89	110	379 25
Freehold,	93	119	379 00
Vineland,	54	42	138 00
Lakewood,	21	32	104 75
	<hr/> 17,619	<hr/> 18,085	<hr/> \$80,054 87

Besides this, the agents retained \$7,068.38, in pursuance with the provisions of section ten of the act.

The fines remitted during the year to the State are as follows:

C. C. Weber, Metuchen,	\$1,604 70
C. F. Klein, Magnolia,	635 00
W. A. Housell, New Brunswick,	623 00
Edmund Condit, Orange,	320 00
Robert A. Bond, Union,	265 00
E. W. Scofield, Madison,	176 00
Henry C. Yost, Montclair,	215 00
John D. Carver, Elwood,	365 00
A. P. Gant, Lakewood,	130 00
Wm. A. Hackleton, Milburn,	150 00
Wm. Woodruff, New Providence,	118 50
Wm. E. Summers, Milburn,	140 00
Chas. W. Sedam, New Brunswick,	120 00
L. W. Jacobus, Montclair,	129 80
Recorder Stanton, Hoboken,	76 00
G. L. Nepling, Clementon,	85 00
Wm. B. Wright, Winslow Junction,	75 00
Geo. W. Cadmus, Bloomfield,	80 00
B. H. Bates, Waterford,	81 00
P. J. Howard, Morristown,	30 00

W. E. Smith, Glen Ridge,	\$20 00
H. L. Robinson, Princeton,	31 00
J. C. Golding, Lawrenceville,	25 00
Roland Place, Pleasantville,	30 00
Conrad Waldvogel, Waterford,	30 00
J. B. Lander, West Orange,	10 00
J. E. Musselman, Hasbrouck Heights, ...	10 00
W. S. Browne, Vineland,	10 00
H. E. Rodgers, Haddon Heights,	10 00
J. H. Schmitt, Jr., Milburn,	5 00
Jos. H. Gaston, Hammonton,	5 00
Samuel F. Eldredge, Cape May City,	5 00
John L. Walker, Waterford,	5 00
Leon Carty, Bordentown,	15 00
Anthony J. Morris, Pemberton,	10 00

\$5,640 00

The amount of money paid to the State Treasurer by months is as follows:

January,	\$1,193 17
February,	1,092 42
March,	3,250 92
April,	6,737 42
May,	12,061 42
June,	15,460 17
July,	21,259 37
August,	9,373 67
September,	5,505 67
October,	5,249 47
November,	2,892 75
December,	1,618 42

\$85,694 87

The volume of work in this division is very considerable. The keeping of the records and the preparation of three indices (alphabetical, chronological and numerical) of more than thirty-

five thousand registrations and licenses, making a total of one hundred and five thousand records, are in themselves formidable; while the correspondence necessary in connection therewith amounted, at a conservative estimate, to over seventy-five thousand pieces of mail matter during the year. On one occasion, as many as seven thousand three hundred pieces of mail were posted in a single day.

The department has deemed it wise to provide for a generous distribution of the motor vehicle act, and over forty-five thousand copies of the act were distributed throughout the year, each person receiving a registration certificate received a copy of the act. Besides this, the department has undertaken to distribute a large quantity of other literature and information bearing upon the motor vehicle laws and the necessity for their rational enforcement.

THE ADMINISTRATIVE DIVISION.

The administrative division is under the personal supervision of the chief inspector. There have been, besides him, three paid inspectors and four unpaid inspectors, serving at various times; one paid inspector only, in addition to the chief inspector, having been employed during the whole year. The unpaid inspectors are citizens interested in the enforcement of the law, who devote as much of their time, as is consistent with their personal duties, to the work of the department, and who contribute the services of their automobiles as well. Two of the paid inspectors have been equipped with motor cycles, and the efficiency of an inspector thus equipped is greatly increased. It will probably be found wise to equip all paid inspectors in this way.

There has been a general impression among the public that these inspectors are employed for the purpose of patrol duty, and during the active season the demands are numerous from almost all sections of the State for the location of inspectors for such duty. The department has endeavored on every such occasion to advise the public that while these inspectors are vested with the power of arrest, yet their functions are not those of patrolmen, but rather of agents and representatives of the de-

partment to supervise the work of the enforcement of the law, to co-operate with and advise with those whose duty it is to preserve the peace of the respective communities, and to investigate complaints of alleged motor vehicle violations and accidents.

It is not the understanding of the department that the act contemplated the establishment of a State constabulary for the purpose of securing the enforcement of this particular law, and the act specifically provides that the enforcement shall be in the hands of the local peace authorities, extending to them, in addition, such advice and assistance as may be rendered by the limited number of inspectors provided. The efficiency of these inspectors has demonstrated the wisdom of the framers of the act, and a clearer understanding of their functions on the part of the peace officers and the public, and a more thorough co-operation with the department's efforts in securing the rational enforcement of the law would be highly beneficial.

THE JUDICIAL DIVISION.

The Commissioner of Motor Vehicles takes personal supervision of the judicial division. All complaints and reports of violations are entered in this division, and every such complaint or report is thoroughly investigated. Their number in the height of the season frequently reached as many as fifty per day. The minor ones are investigated by correspondence and generally result in a satisfactory adjustment. The more important ones are placed either in the hands of an inspector or some other competent person for investigation and report, upon which such action is taken as seems indicated. During the active season public hearings were conducted at the State House on Wednesdays and Fridays, and on such other days as necessity demanded.

The number of violations reported and the general tendency to disregard the law's provisions early in the last season showed a marked increase over the closing months of the preceding season, but somewhat vigorous action on the part of the department and of the police authorities of several of the more important cities speedily brought the attention of the law to those

whose disposition it was to violate, and the conditions during the summer and fall months upon the whole showed a decided improvement over the work of the year before.

The number of license and registration certificates permanently revoked last year numbered twelve, while a large number of certificates were revoked for fixed periods. Registration certificates were denied in two instances, and licenses were denied in four instances.

COST OF MAINTENANCE.

The cost of maintaining the department for the calendar year is as follows:

Salary of Commissioner,	\$1,500 00
Salary of Chief Inspector,	1,500 00
Compensation of Inspectors and their equipment,	1,311 00
Clerical service,	4,513 69
Expenses and equipment of Inspectors, ...	739 65
Purchase of motor cycles,	275 00
Blanks and stationery,	844 85
Postage, expressage and other incidental expenses,	1,722 63
	<hr/>
	\$12,406 82

The appropriation for the fiscal year, ending October 31, 1907, was \$20,425. The entire expenses (exclusive of agents' fees) for the fiscal year were \$13,372.60. The appropriations, however, were made on the basis of the increased expenses which would have become necessary, due to the increased number of inspectors provided for in the amendments to the act, which passed the Legislature, but which were finally vetoed by the Governor.

Under the law, the gross receipts from all sources are turned into the State Treasury, to be paid out upon the designation of the Commissioner of Public Roads, for the repair of the improved roads of the State, and the entire expenses of maintaining the

department are borne by the Department of State, that department being charged with the duty not only of providing all necessary clerical assistance, but compensation for inspectors and all other expenses of maintenance as well. This arrangement seems to have been beneficial from an economical standpoint to both the Department of State and the Motor Vehicle Department in that the increased number of assistants made necessary by the creation of the new department were advantageously employed, when their services were not needed in the Motor Vehicle Department, in work connected with the other divisions of the Department of State, while these other divisions were drawn upon for assistance during the rush seasons, and the salary accounts of all divisions thereby maintained at a minimum expenditure.

IN GENERAL.

In the enforcement of the law, the department has conceived it to be its duty not only to apprehend violators, but in the greatest possible degree to prevent violations of the law. In this work it has striven to the fullest extent of its capacity to instruct every class of users of the highways, whether they were motorists or not, regarding their proper rights and duties. It has striven to do this work with an eye single only to the protection and the advancement of all interests. It has endeavored to assist and advise the peace officers as well as the users of the highways. It has recognized the frailties of our natures, and, whenever the circumstances would admit, it has made what it believed to be an adequate allowance for misunderstandings and misinterpretations of the law, and in these efforts many thousand folios of personal and private suggestion have been written and many hours devoted to earnest conversation.

The department has believed that conservatism and discretion cannot be too strongly urged upon all who have to deal with motor vehicles, and all efforts toward regulation should have as their co-ordinate purpose the uniform and absolute protection of the rights of every user of the highways and of the promotion of every legitimate effort to develop our resources and bring

about greater ease, comfort, expedition and safety in travel and transportation.

The motor vehicle, already a very potential force in the development of our resources and in the promotion of our pleasures, is capable of almost infinite development, and this development can best be served, if, indeed, it is possible to serve it in any other way, not only by the clearest possible understanding of its abuses and the means whereby they can be suppressed, but also of its uses and capabilities.

Those who own motor vehicles are shortsighted indeed who will not undertake, in the greatest degree, to ascertain these facts and act upon them, while those who do not use such vehicles fail, both in rendering proper public service and in promoting their own interests, when they attempt to arbitrarily restrict the proper functions and uses of motor vehicles.

Respectfully submitted,

J. B. R. SMITH,
Commissioner of Motor Vehicles.