

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND  
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3068**

with committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 13, 2008

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 3068.

As reported, this amended bill would add certain requirements for applicants and holders of special learner's permits and examination permits.

Under this State's graduated driver licensing system, persons who are at least 16 years of age can obtain a special learner's permit for the purpose of preparing himself to qualify for a provisional license by operating a motor vehicle while taking a required course of behind-the-wheel automobile driving education. Upon successful completion of a six-hour course of behind-the-wheel automobile driving education, a special learner's permit holder may engage in supervised practice driving. A person who is at least 17 years of age can obtain an examination permit for the purpose of supervised practice driving, but is not required to enroll in or complete the behind-the-wheel course to obtain the examination permit. Drivers who satisfy the requirements of the special learner's permit or examination permit, including driving under supervision for six months and passing a road test, move on to a provisional driver's license pursuant to which they are authorized to practice unsupervised driving with certain passenger, hourly, and other restrictions.

Under the amended bill, an applicant for a special learner's permit or examination permit who is under 18 years of age cannot obtain such permit unless the applicant and at least one of the permit applicant's parents or guardians has first completed a teen driver orientation program approved by the Division of Highway Traffic Safety in the Department of Law and Public Safety, in consultation with the New Jersey Motor Vehicle Commission (MVC). In the event that a parent or guardian is unable to complete the teen driver orientation program, the amended bill provides that completion by another relative who is at least 21 years of age, or by a supervising adult who is at least 21 years of age and who has been licensed to drive a passenger automobile or

motorcycle for at least three years, shall be deemed to meet the requirement that a parent or guardian complete the program. The teen driver orientation program shall also be made available to, but not required of, the parent or guardian of an examination permit applicant who is at least 18 years of age but less than 21. As amended, the bill requires all permit applicants to submit to the MVC a certificate indicating that the applicant and, if required, at least one of the applicant's parents or guardians, or other relative or supervising adult as permitted under the bill, has completed the teen driver orientation program. The Chief Administrator of the MVC shall suspend or postpone the driving privileges of any applicant who submits a fraudulent certificate of completion.

This bill would further change the graduated driver licensing law by requiring holders of examination permits and special learner's permit under the age of 21 to complete a minimum number of hours of certified practice driving. Persons with a special learner's permit would still have to satisfy the behind-the-wheel automobile driving education requirement; in addition, they would have to complete at least 50 hours of practice driving, including 10 hours of which are completed during hours of darkness. Persons 17 to 20 years old who have been issued an examination permit would have two choices: (1) they could similarly complete an approved six-hour behind-the-wheel course and 50 hours of certified driving with 10 hours completed during hours of darkness; or (2) they could complete 100 hours of certified driving, with 20 hours completed during hours of darkness. The parent or guardian, or the supervising driver, of a permit holder must certify that these hours of practice driving were completed. The Chief Administrator of the MVC shall suspend the driving privileges of any permit holder who submits a fraudulent certification.

The amended bill provides that the six-hour, behind-the-wheel automobile driving education course required pursuant to the State's graduated driver licensing law must be private and one-on-one.

As amended, the bill requires the MVC to adopt a standard, up-to-date curriculum to be implemented by public, private, and parochial schools and licensed drivers' schools offering courses of behind-the-wheel automobile driving education. The amended bill requires the curriculum to be developed by the MVC in consultation with the Division of Highway Traffic Safety, the State Department of Education, and licensed drivers' schools in this State.

The amended bill increases from six months to 12 months the amount of time that a permit holder must hold such a permit before becoming eligible for a provisional license.

The amended bill requires the distribution of informational brochures to the parents and guardians of beginning drivers under the age of 18 at approved teen driver orientation programs. Under current law, such brochures are submitted at the time a permit is issued to a beginning driver. The amended bill requires a sample practice driving

log, in addition to other required information, to be included in the brochure.

#### COMMITTEE AMENDMENTS

As introduced, the bill changed the age requirement for obtaining an examination permit from 17 to 20 years of age. The committee amended the bill to clarify that the Chief Administrator of the MVC may issue an examination permit to a person over 17 years of age.

The committee amended the bill to clarify that a person is to fulfill the behind-the-wheel automobile driving education course and practice driving requirements after being issued an examination permit and before being eligible for a provisional license, rather than prior to obtaining an examination permit.

The committee amended the bill to require the teen driver orientation program to be approved by the Division of Highway Traffic Safety in the Department of Law and Public Safety in consultation with the MVC, rather than approved by the MVC only. The committee amended the bill to require any examination permit applicant under age 21, and any special learner's permit applicant, to attend an approved teen driver orientation program. The committee also amended the bill to allow another relative who is at least 21 years of age or supervising adult who is at least 21 years of age and who has been licensed to drive a passenger automobile or motorcycle for at least three years to attend the teen driver orientation program in the event that a parent or guardian is unavailable to attend the program. The committee amended the bill to require permit applicants to submit to the MVC a certificate indicating that the applicant and, if required, at least one of the applicant's parents or guardians, or other relative or supervising adult as permitted under the bill, has completed the teen driver orientation program. The committee amended the bill to provide for the six month suspension or postponement of driving privileges for any permit applicant who submits a fraudulent certificate of completion.

The committee amended the bill to require all behind-the-wheel automobile driving education courses required pursuant to the State's graduated driver licensing law be private and one-on-one.

The committee amended the bill to remove language indicating that the private, one-on-one behind-the-wheel automobile driving education be taken while a special learner's permit holder is completing certified practice driving required under the bill.

The committee amended the bill to remove the requirement that the MVC adopt a driving school curriculum based on a nationally accepted model and replaced this with a requirement that the MVC adopt within 12 months a standard, up-to-date curriculum in consultation with the Division of Highway Traffic Safety in the

Department of Law and Public Safety, the State Department of Education, and licensed drivers' school in this State.

The committee amended the bill to require the distribution of an informational brochure to the parents or guardians of beginning drivers at approved teen driver orientation programs, rather than at the time permit is issued. The committee amended the bill to require the informational brochure to include a sample practice driving log.

The committee amended the bill to update references to the Chief Administrator of New Jersey Motor Vehicle Commission and the commission itself. The committee also amended the bill to update references to the Division of Highway Traffic Safety in the Department of Law and Public Safety.