

# SENATE, No. 1829

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 22, 2010

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator THOMAS GOODWIN**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

“Sara’s Law;” requires Motor Vehicle Commission to establish next-of-kin program.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning motor vehicle safety, designated as Sara's Law,  
2 supplementing Title 39 of the Revised Statutes, and amending  
3 P.L.1980, c.47.

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

7  
8 1. (New section) a. The Chief Administrator of the New Jersey  
9 Motor Vehicle Commission shall develop an Internet next-of-kin  
10 registry program. Under the program, the holder of any New Jersey  
11 State driver's license or non-driver identification card shall have the  
12 opportunity to voluntarily submit, via the Internet, the name and  
13 telephone number of three emergency contacts to the Motor Vehicle  
14 Commission.

15 b. In implementing this program, the chief administrator shall  
16 establish a process whereby the holder of any driver's license or  
17 non-driver identification card may electronically sign onto the  
18 Motor Vehicle Commission web site using their driver's license  
19 number or non-driver identification card number. The licensee or  
20 card holder may then submit the name and telephone number of up  
21 to three emergency contacts to the commission's official web site.  
22 A licensee or card holder who submits the name and telephone  
23 number of an emergency contact shall have the opportunity to  
24 revise or update the emergency contact information at any time.

25 c. The chief administrator shall be responsible for establishing  
26 and maintaining a standardized and automated Statewide registry  
27 capable of storing and distributing emergency contact information  
28 to law enforcement officials. The chief administrator shall strive to  
29 ensure that the information contained in the Internet registry is  
30 updated as appropriate in a timely and efficient manner.

31 d. Information in the registry shall be accessible only by law  
32 enforcement officials and employees of the commission that are  
33 designated by the chief administrator. Any emergency contact  
34 information submitted to the commission shall not be considered a  
35 public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or  
36 P.L.2001, c.404 (C.47:1A-5 et al.).

37 e. For the purposes of this act, "emergency contact person" or  
38 "emergency contact" means a person, eighteen years of age or  
39 older, who the holder of any New Jersey State driver's license or  
40 non-driver identification card designated to be contacted by law  
41 enforcement personnel when the licensee or card holder is rendered  
42 unable to communicate due to a motor vehicle accident resulting in  
43 the serious bodily injury, death, or incapacitation of the licensee or  
44 card holder. An "emergency contact person" or "emergency  
45 contact" may or may not be the next-of-kin of the licensee or card

**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.

1 holder; except that if the licensee or card holder is under the age of  
2 eighteen and is not emancipated, the emergency contact person shall  
3 be the parent or guardian of that licensee or card holder.

4  
5 2. (New section) When a motor vehicle accident results in the  
6 serious bodily injury, death, or incapacitation of a driver or any  
7 passenger, the law enforcement officer investigating the motor  
8 vehicle accident shall attempt to locate an emergency contact  
9 person by accessing the emergency contact database established  
10 pursuant to section 1 of P.L. c. (C. )(pending before the  
11 Legislature as this bill.). That law enforcement officer shall, when  
12 practicable, expeditiously notify the emergency contact of any  
13 person involved in the motor vehicle accident and inform the  
14 emergency contact of the hospital or other location at which the  
15 driver or passenger may be receiving medical treatment.

16  
17 3. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read  
18 as follows:

19 2. The Division of Motor Vehicles shall issue an identification  
20 card to any resident of the State who is **[17]** 14 years of age or  
21 older and who is not the holder of a valid learner's permit or a valid  
22 driver's license. The identification card shall attest to the true  
23 name, correct age, and other identifying data as certified by the  
24 applicant for such identification card. Every application for an  
25 identification card shall be signed and verified by the applicant and  
26 shall be supported by such documentary evidence of the age and  
27 identity, or blindness, disability, or handicap, of such person as the  
28 division may require. In addition to requiring an applicant for an  
29 identification card to submit satisfactory proof of identity and age,  
30 the director also shall require the applicant to provide, as a  
31 condition for obtaining the card, satisfactory proof that the  
32 applicant's presence in the United States is authorized under federal  
33 law. If the director has reasonable cause to suspect that any  
34 document presented by an applicant as proof of identity, age or  
35 legal residency is altered, false or otherwise invalid, the director  
36 shall refuse to grant the identification card until such time as the  
37 document may be verified by the issuing agency to the director's  
38 satisfaction.

39 (cf: P.L.2001, c.391, s.14)

40  
41 4. The chief administrator may adopt, pursuant to the  
42 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
43 seq.), any rules or regulations necessary for the implementation of  
44 this act.

45  
46 5. This act shall take effect on the first day of the thirteenth  
47 month after enactment, but the chief administrator may take such

1 anticipatory administrative action in advance as shall be necessary  
2 for the timely implementation of this act.

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STATEMENT

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7 This bill establishes a “next-of-kin program” within the Motor  
8 Vehicle Commission. Under the program, the holder of any New  
9 Jersey State driver’s license or non-driver identification card has the  
10 opportunity to voluntarily submit, via the Internet, the name and  
11 telephone number of one emergency contact person to the Motor  
12 Vehicle Commission. In the case that the licensee is involved in an  
13 accident resulting in serious injury, death, or incapacitation the law  
14 enforcement personnel would be able to utilize the registry to notify  
15 the licensee’s emergency contact.

16 Any information submitted to the Motor Vehicle Commission  
17 would only be accessible by certain motor vehicle commission  
18 employees and law enforcement personnel. The bill provides the  
19 emergency contact person’s name and number is not subject to  
20 public disclosure under the “Open Public Records Act.”

21 In addition, this bill lowers the age requirement to receive a non-  
22 driver identification card that is used for identification purposes.  
23 Under current law, a person must be at least 17 years of age to  
24 receive a non-driver identification card. This bill allows a person  
25 who is 14 years of age or older to receive such a card. It is the  
26 sponsor’s intent that by lowering the age to receive an identification  
27 card, a young teenager who is a passenger involved in a motor  
28 vehicle accident may still be identified by police if they are unable  
29 to communicate. Lowering this age requirement also expands the  
30 number of teenagers eligible to participate in the “next-of-kin  
31 program” established under the bill.

32 This bill is in memory of Sara Dubinin, a 19-year-old Sayreville  
33 woman who tragically died on September 25, 2007 from injuries  
34 resulting from a car accident.