

[First Reprint]

**ASSEMBLY, No. 4165**

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

INTRODUCED SEPTEMBER 19, 2016

**Sponsored by:**

**Assemblywoman ANNETTE CHAPARRO**

**District 33 (Hudson)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblyman NICHOLAS CHIARAVALLOTTI**

**District 31 (Hudson)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

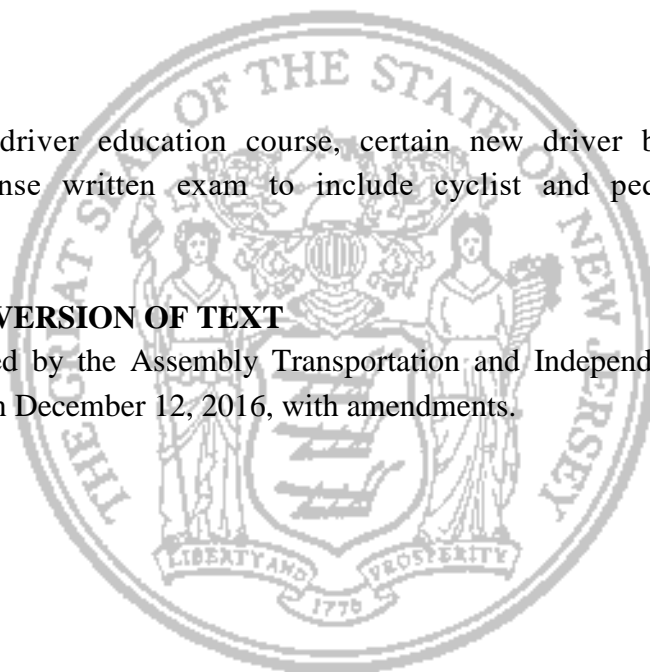
**Assemblywoman Jimenez, Assemblyman Eustace, Assemblywoman B.DeCroce, Assemblyman Giblin and Assemblywoman Pinkin**

**SYNOPSIS**

Requires driver education course, certain new driver brochures, and driver's license written exam to include cyclist and pedestrian safety information.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Transportation and Independent Authorities Committee on December 12, 2016, with amendments.



(Sponsorship Updated As Of: 1/24/2017)

1 AN ACT concerning <sup>1</sup>**[bicycle]** cyclist<sup>1</sup> and pedestrian safety and  
2 amending R.S.39:3-10 and P.L.1998, c.108.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 <sup>1</sup>[1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. No person shall drive a motor vehicle on a public  
9 highway in this State unless the person is under supervision while  
10 participating in a behind-the-wheel driving course pursuant to  
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
12 validated permit, or a probationary or basic driver's license issued to  
13 that person in accordance with this article.

14 No person under 18 years of age shall be issued a basic license to  
15 drive motor vehicles, nor shall a person be issued a validated  
16 permit, including a validated examination permit, until the applicant  
17 has passed a satisfactory examination and other requirements as to  
18 the applicant's ability as an operator. The examination shall include  
19 a test of the applicant's vision~~[,]~~ ; the applicant's ability to  
20 understand traffic control devices~~[,]~~ ; the applicant's knowledge of  
21 safe driving practices, including the dangers of driving a vehicle in  
22 an aggressive manner, which shall include, but not be limited to,  
23 unexpectedly altering the speed of a vehicle, making improper or  
24 erratic traffic lane changes, disregarding traffic control devices,  
25 failing to yield the right of way, and following another vehicle too  
26 closely~~[,]~~ ; the applicant's knowledge of operating a motor vehicle  
27 in a manner that safely shares the roadway with pedestrians,  
28 bicyclists, skaters, riders of motorized-scooters and other non-  
29 motorized vehicles, which shall include, but not be limited to,  
30 passing a cyclist on the road, recognizing bicycle lanes, navigating  
31 intersections with pedestrians and cyclists, and exiting a vehicle  
32 without endangering pedestrians and cyclists; [and of] the effects  
33 that ingestion of alcohol or drugs has on a person's ability to operate  
34 a motor vehicle[,] ; the applicant's knowledge of such portions of  
35 the mechanism of motor vehicles as is necessary to insure the safe  
36 operation of a vehicle of the kind or kinds indicated by the  
37 applicant[,] ; and [of] the laws and ordinary usages of the road.  
38 No person shall sit for an examination for any permit without  
39 exhibiting photo identification deemed acceptable by the  
40 commission, unless that person is a high school student  
41 participating in a course of automobile driving education approved  
42 by the State Department of Education and conducted in a public,  
43 parochial, or private school of this State, pursuant to section 1 of  
44 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the

**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>Assembly ATR committee amendments adopted December 12, 2016.

1 written law knowledge examination for any person 18 years of age  
2 or older possessing a valid driver's license issued by any other state,  
3 the District of Columbia, or the United States Territories of  
4 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The  
5 commission shall be required to provide that person with a booklet  
6 that highlights those motor vehicle laws unique to New Jersey. A  
7 road test shall be required for a probationary license and serve as a  
8 demonstration of the applicant's ability to operate a vehicle of the  
9 class designated. No person shall sit for a road test unless that  
10 person exhibits photo identification deemed acceptable by the  
11 commission. A high school student who has completed a course of  
12 behind-the-wheel automobile driving education approved by the  
13 State Department of Education and conducted in a public, parochial,  
14 or private school of this State, who has been issued a special  
15 learner's permit pursuant to section 1 of P.L.1950, c.127 (C.39:3-  
16 13.1) prior to January 1, 2003, shall not be required to exhibit photo  
17 identification in order to sit for a road test. The commission may  
18 waive the road test for any person 18 years of age or older  
19 possessing a valid driver's license issued by any other state, the  
20 District of Columbia, or the United States Territories of American  
21 Samoa, Guam, Puerto Rico, or the Virgin Islands. The road test  
22 shall be given on public streets, where practicable and feasible, but  
23 may be preceded by an off-street screening process to assess basic  
24 skills. The commission shall approve locations for the road test  
25 which pose no more than a minimal risk of injury to the applicant,  
26 the examiner, and other motorists. No new locations for the road  
27 test shall be approved unless the test can be given on public streets.

28 A person who successfully completes a road test for a  
29 motorcycle license or a motorcycle endorsement when operating a  
30 motorcycle or motorized scooter with an engine displacement of  
31 less than 231 cubic centimeters shall be issued a motorcycle license  
32 or endorsement restricting the person's operation of such vehicles to  
33 any motorcycle with an engine displacement of 500 cubic  
34 centimeters or less. A person who successfully completes a road  
35 test for a motorcycle license or motorcycle endorsement when  
36 operating a motorcycle with an engine displacement of 231 or more  
37 cubic centimeters shall be issued a motorcycle license or  
38 endorsement without any restriction as to engine displacement.  
39 Any person who successfully completes an approved motorcycle  
40 safety education course established pursuant to the provisions of  
41 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a  
42 motorcycle license or endorsement without restriction as to engine  
43 displacement.

44 The commission shall issue a basic driver's license to operate a  
45 motor vehicle other than a motorcycle to a person over 18 years of  
46 age who previously has not been licensed to drive a motor vehicle  
47 in this State or another jurisdiction only if that person has: (1)  
48 operated a passenger automobile in compliance with the

1 requirements of this title for not less than one year, not including  
2 any period of suspension or postponement, from the date of  
3 issuance of a probationary license pursuant to section 4 of  
4 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two  
5 motor vehicle points; (3) not been convicted in the previous year for  
6 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-  
7 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-  
8 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-  
9 related violation the commission determines to be significant and  
10 applicable pursuant to regulation; and (4) passed an examination of  
11 the applicant's ability to operate a motor vehicle pursuant to this  
12 section.

13 The commission shall expand the driver's license examination by  
14 20%. The additional questions to be added shall consist solely of  
15 questions developed in conjunction with the Department of Health  
16 concerning the use of alcohol or drugs as related to highway safety.  
17 The commission shall develop, in conjunction with the Department  
18 of Health, supplements to the driver's manual which shall include  
19 information necessary to answer any question on the driver's license  
20 examination concerning alcohol or drugs as related to highway  
21 safety.

22 Up to 20 questions may be added to the examination on subjects  
23 to be determined by the commission that are of particular relevance  
24 to youthful drivers, including the importance of operating a motor  
25 vehicle in a manner that safely shares the roadway with pedestrians,  
26 bicyclists, skaters, riders of motorized-scooters and other non-  
27 motorized vehicles, which shall include, but not be limited to,  
28 passing a cyclist on the road, recognizing bicycle lanes, navigating  
29 intersections with pedestrians and cyclists, and exiting a vehicle  
30 without endangering pedestrians and cyclists, and the dangers of  
31 driving a vehicle in an aggressive manner, which shall include, but  
32 not be limited to, unexpectedly altering the speed of a vehicle,  
33 making improper or erratic traffic lane changes, disregarding traffic  
34 control devices, failing to yield the right of way, and following  
35 another vehicle too closely, after consultation with the Director of  
36 the Division of Highway Traffic Safety in the Department of Law  
37 and Public Safety.

38 The commission shall expand the driver's license examination to  
39 include a question asking whether the applicant is aware of the  
40 provisions of the "Revised Uniform Anatomical Gift Act,"  
41 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on  
42 the driver's license the intention to make a donation of body organs  
43 or tissues pursuant to P.L.1978, c.181 (C.39:3-12.2).

44 The commission shall expand the driver's license examination to  
45 include a question asking whether the applicant is aware of the  
46 dangers of failing to comply with this State's motor vehicle traffic  
47 laws and the "STOP for Nikhil Safety Pledge" set forth in  
48 subsection e. of R.S.39:3-41.

1 Any person applying for a driver's license to operate a motor  
2 vehicle or motorized bicycle in this State shall surrender to the  
3 commission any current driver's license issued to the applicant by  
4 another state or jurisdiction upon the applicant's receipt of a driver's  
5 license for this State. The commission shall refuse to issue a  
6 driver's license if the applicant fails to comply with this provision.  
7 An applicant for a permit or license who is less than 18 years of  
8 age, and who holds a permit or license for a passenger automobile  
9 issued by another state or country that is valid or has expired within  
10 a time period designated by the commission, shall be subject to the  
11 permit and license requirements and penalties applicable to State  
12 permit and license applicants who are of the same age; except that if  
13 the other state or country has permit or license standards  
14 substantially similar to those of this State, the credentials of the  
15 other state or country shall be acceptable.

16 The commission shall create classified licensing of drivers  
17 covering the following classifications:

18 a. Motorcycles, except that for the purposes of this section,  
19 motorcycle shall not include any three-wheeled motor vehicle  
20 equipped with a single cab with glazing enclosing the occupant,  
21 seats similar to those of a passenger vehicle or truck, seat belts and  
22 automotive steering or any vehicle defined as a motorcycle pursuant  
23 to R.S.39:1-1 having a motor with a maximum piston displacement  
24 that is less than 50 cubic centimeters or a motor that is rated at no  
25 more than 1.5 brake horsepower with a maximum speed of no more  
26 than 35 miles per hour on a flat surface.

27 b. Omnibuses as classified by R.S.39:3-10.1 and school buses  
28 classified under N.J.S.18A:39-1 et seq.

29 c. (Deleted by amendment, P.L.1999, c.28).

30 d. All motor vehicles not included in classifications a. and b. A  
31 license issued pursuant to this classification d. shall be referred to  
32 as the "basic driver's license."

33 Every applicant for a license under classification b. shall be a  
34 holder of a basic driver's license. Any issuance of a license under  
35 classification b. shall be by endorsement on the basic driver's  
36 license.

37 A driver's license for motorcycles may be issued separately, but  
38 if issued to the holder of a basic driver's license, it shall be by  
39 endorsement on the basic driver's license. The holder of a basic  
40 driver's license or a separately issued motorcycle license shall be  
41 authorized to operate a motorcycle having a motor with a maximum  
42 piston displacement that is less than 50 cubic centimeters or a motor  
43 that is rated at no more than 1.5 brake horsepower with a maximum  
44 speed no more than 35 miles per hour on a flat surface.

45 The commission, upon payment of the lawful fee and after it or a  
46 person authorized by it has examined the applicant and is satisfied  
47 of the applicant's ability as an operator, may, in its discretion, issue  
48 a license to the applicant to drive a motor vehicle. The license shall

1 authorize him to drive any registered vehicle, of the kind or kinds  
2 indicated, and shall expire, except as otherwise provided, on the last  
3 day of the 48th calendar month following the calendar month in  
4 which such license was issued.

5 The commission may, at its discretion and for good cause shown,  
6 issue licenses which shall expire on a date fixed by it. If the  
7 commission issues a license to a person who has demonstrated  
8 authorization to be present in the United States for a period of time  
9 shorter than the standard period of the license, the commission shall  
10 fix the expiration date of the license at a date based on the period in  
11 which the person is authorized to be present in the United States  
12 under federal immigration laws. The commission may renew such a  
13 license only if it is demonstrated that the person's continued  
14 presence in the United States is authorized under federal law. The  
15 fee for licenses with expiration dates fixed by the commission shall  
16 be fixed by the commission in amounts proportionately less or  
17 greater than the fee herein established.

18 The required fee for a license for the 48-month period shall be as  
19 follows:

20 Motorcycle license or endorsement: \$18.

21 Omnibus or school bus endorsement: \$18.

22 Basic driver's license: \$18.

23 The commission shall waive the payment of fees for issuance of  
24 omnibus endorsements whenever an applicant establishes to the  
25 commission's satisfaction that said applicant will use the omnibus  
26 endorsement exclusively for operating omnibuses owned by a  
27 nonprofit organization duly incorporated under Title 15 or 16 of the  
28 Revised Statutes or Title 15A of the New Jersey Statutes.

29 The commission shall issue licenses for the following license  
30 period on and after the first day of the calendar month immediately  
31 preceding the commencement of such period, such licenses to be  
32 effective immediately.

33 All applications for renewals of licenses shall be made in a  
34 manner prescribed by the commission and in accordance with  
35 procedures established by it.

36 The commission in its discretion may refuse to grant a permit or  
37 license to drive motor vehicles to a person who is, in its estimation,  
38 not a proper person to be granted such a permit or license, but no  
39 defect of the applicant shall debar the applicant from receiving a  
40 permit or license unless it can be shown by tests approved by the  
41 commission that the defect incapacitates the applicant from safely  
42 operating a motor vehicle.

43 In addition to requiring an applicant for a driver's license to  
44 submit satisfactory proof of identity and age, the commission also  
45 shall require the applicant to provide, as a condition for obtaining a  
46 permit and license, satisfactory proof that the applicant's presence  
47 in the United States is authorized under federal law.

1 If the commission has reasonable cause to suspect that any  
2 document presented by an applicant as proof of identity, age or  
3 legal residency is altered, false or otherwise invalid, the  
4 commission shall refuse to grant the permit or license until such  
5 time as the document may be verified by the issuing agency to the  
6 commission's satisfaction.

7 A person violating this section shall be subject to a fine not  
8 exceeding \$500 or imprisonment in the county jail for not more  
9 than 60 days, but if that person has never been licensed to drive in  
10 this State or any other jurisdiction, the applicant shall be subject to  
11 a fine of not less than \$200 and, in addition, the court shall issue an  
12 order to the commission requiring the commission to refuse to issue  
13 a license to operate a motor vehicle to the person for a period of not  
14 less than 180 days. The penalties provided for by this paragraph  
15 shall not be applicable in cases where failure to have actual  
16 possession of the operator's license is due to an administrative or  
17 technical error by the commission.

18 Nothing in this section shall be construed to alter or extend the  
19 expiration of any license issued prior to the date this amendatory  
20 and supplementary act becomes operative.

21 (cf: P.L.2015, c.78, s.1)<sup>1</sup>

22

23 <sup>1</sup>1. R.S.39:3-10 is amended to read as follows:

24 39:3-10. A person shall not drive a motor vehicle on a public  
25 highway in this State unless the person is under supervision while  
26 participating in a behind-the-wheel driving course pursuant to  
27 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
28 validated permit, or a probationary or basic driver's license issued to  
29 that person in accordance with this article.

30 A person under 18 years of age shall not be issued a basic license  
31 to drive motor vehicles or be issued a validated permit, including a  
32 validated examination permit, until the applicant has passed a  
33 satisfactory examination and other requirements as to the applicant's  
34 ability as an operator. The examination shall include: a test of the  
35 applicant's vision; the applicant's ability to understand traffic  
36 control devices; the applicant's knowledge of safe driving practices,  
37 including the dangers of driving a vehicle in an aggressive manner,  
38 which shall include, but not be limited to, unexpectedly altering the  
39 speed of a vehicle, making improper or erratic traffic lane changes,  
40 disregarding traffic control devices, failing to yield the right of way,  
41 and following another vehicle too closely; the applicant's  
42 knowledge of operating a motor vehicle in a manner that safely  
43 shares the roadway with pedestrians, cyclists, skaters, riders of  
44 motorized-scooters, and other non-motorized vehicles, which shall  
45 include, but not be limited to, passing a cyclist on the roadway,  
46 recognizing bicycle lanes, navigating intersections with pedestrians  
47 and cyclists, and exiting a vehicle without endangering pedestrians  
48 and cyclists; the applicant's knowledge of the effects that ingestion

1 of alcohol or drugs has on a person's ability to operate a motor  
2 vehicle; the applicant's knowledge of the dangers of carbon  
3 monoxide poisoning from motor vehicles and techniques for the  
4 safe operation and proper maintenance of a motor vehicle; the  
5 applicant's knowledge of portions of the mechanism of motor  
6 vehicles as is necessary to insure the safe operation of a vehicle of  
7 the kind or kinds indicated by the applicant; and the applicant's  
8 knowledge of the laws and ordinary usages of the road. A person  
9 shall not sit for an examination for any permit without exhibiting  
10 photo identification deemed acceptable by the commission, unless  
11 that person is a high school student participating in a course of  
12 automobile driving education approved by the State Department of  
13 Education and conducted in a public, parochial, or private school of  
14 this State, pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).  
15 The commission may waive the written law knowledge examination  
16 for any person 18 years of age or older possessing a valid driver's  
17 license issued by any other state, the District of Columbia, or the  
18 United States Territories of American Samoa, Guam, Puerto Rico,  
19 or the Virgin Islands. The commission shall be required to provide  
20 that person with a booklet that highlights those motor vehicle laws  
21 unique to New Jersey. A road test shall be required for a  
22 probationary license and serve as a demonstration of the applicant's  
23 ability to operate a vehicle of the class designated. During the road  
24 test, an applicant may use a rear visibility system, parking sensors,  
25 or other technology installed on the motor vehicle that enables the  
26 applicant to view areas directly behind the vehicle or alerts the  
27 applicant of obstacles while parking.

28 A person shall not sit for a road test unless that person exhibits  
29 photo identification deemed acceptable by the commission. A high  
30 school student who has completed a course of behind-the-wheel  
31 automobile driving education approved by the State Department of  
32 Education and conducted in a public, parochial, or private school of  
33 this State, who has been issued a special learner's permit pursuant to  
34 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,  
35 shall not be required to exhibit photo identification in order to sit  
36 for a road test. The commission may waive the road test for any  
37 person 18 years of age or older possessing a valid driver's license  
38 issued by any other state, the District of Columbia, or the United  
39 States Territories of American Samoa, Guam, Puerto Rico, or the  
40 Virgin Islands. The road test shall be given on public streets, where  
41 practicable and feasible, but may be preceded by an off-street  
42 screening process to assess basic skills. The commission shall  
43 approve locations for the road test which pose no more than a  
44 minimal risk of injury to the applicant, the examiner, and other  
45 motorists. New locations for the road test shall not be approved  
46 unless the test can be given on public streets.

47 A person who successfully completes a road test for a  
48 motorcycle license or a motorcycle endorsement when operating a



1 motorcycle or motorized scooter with an engine displacement of  
2 less than 231 cubic centimeters shall be issued a motorcycle license  
3 or endorsement restricting the person's operation of such vehicles to  
4 any motorcycle with an engine displacement of 500 cubic  
5 centimeters or less. A person who successfully completes a road  
6 test for a motorcycle license or motorcycle endorsement when  
7 operating a motorcycle with an engine displacement of 231 or more  
8 cubic centimeters shall be issued a motorcycle license or  
9 endorsement without any restriction as to engine displacement.  
10 Any person who successfully completes an approved motorcycle  
11 safety education course established pursuant to the provisions of  
12 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a  
13 motorcycle license or endorsement without restriction as to engine  
14 displacement.

15 The commission shall issue a basic driver's license to operate a  
16 motor vehicle other than a motorcycle to a person over 18 years of  
17 age who previously has not been licensed to drive a motor vehicle  
18 in this State or another jurisdiction only if that person has: (1)  
19 operated a passenger automobile in compliance with the  
20 requirements of this Title for not less than one year, not including  
21 any period of suspension or postponement, from the date of  
22 issuance of a probationary license pursuant to section 4 of  
23 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two  
24 motor vehicle points; (3) not been convicted in the previous year for  
25 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-  
26 50.4a), section 1 of P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129,  
27 N.J.S.2C:11-5, subsection c. of N.J.S.2C:12-1, or any other motor  
28 vehicle-related violation the commission determines to be  
29 significant and applicable pursuant to regulation; and (4) passed an  
30 examination of the applicant's ability to operate a motor vehicle  
31 pursuant to this section.

32 The commission shall expand the driver's license examination by  
33 20 percent. The additional questions to be added shall consist solely  
34 of questions developed in conjunction with the Department of  
35 Health concerning the use of alcohol or drugs as related to highway  
36 safety. The commission shall develop, in conjunction with the  
37 Department of Health, supplements to the driver's manual which  
38 shall include information necessary to answer any question on the  
39 driver's license examination concerning alcohol or drugs as related  
40 to highway safety.

41 Up to 20 questions may be added to the examination on subjects  
42 to be determined by the commission that are of particular relevance  
43 to youthful drivers, including the dangers of driving a vehicle in an  
44 aggressive manner, which shall include, but not be limited to,  
45 unexpectedly altering the speed of a vehicle, making improper or  
46 erratic traffic lane changes, disregarding traffic control devices,  
47 failing to yield the right of way, and following another vehicle too  
48 closely, after consultation with the Director of the Division of

1 Highway Traffic Safety in the Department of Law and Public  
2 Safety.

3 The commission shall expand the driver's license examination to  
4 include a question asking whether the applicant is aware of the  
5 provisions of the "Revised Uniform Anatomical Gift Act,"  
6 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on  
7 the driver's license the intention to make a donation of body organs  
8 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

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10 include a question asking whether the applicant is aware of the  
11 dangers of failing to comply with this State's motor vehicle traffic  
12 laws and the "STOP for Nikhil Safety Pledge" set forth in  
13 subsection e. of R.S.39:3-41.

14 The commission shall expand the driver's license examination to  
15 include questions concerning the dangers of carbon monoxide  
16 poisoning from motor vehicles and techniques for the safe operation  
17 and proper maintenance of a motor vehicle.

18 The commission shall expand the driver's license examination to  
19 include questions concerning the importance of operating a motor  
20 vehicle in a manner that safely shares the roadway with pedestrians,  
21 cyclists, skaters, riders of motorized-scooters, and other non-  
22 motorized vehicles, which shall include, but not be limited to,  
23 passing a cyclist on the roadway, recognizing bicycle lanes,  
24 navigating intersections with pedestrians and cyclists, and exiting a  
25 vehicle without endangering pedestrians and cyclists.

26 Any person applying for a driver's license to operate a motor  
27 vehicle or motorized bicycle in this State shall surrender to the  
28 commission any current driver's license issued to the applicant by  
29 another state or jurisdiction upon the applicant's receipt of a driver's  
30 license for this State. The commission shall refuse to issue a  
31 driver's license if the applicant fails to comply with this provision.  
32 An applicant for a permit or license who is less than 18 years of  
33 age, and who holds a permit or license for a passenger automobile  
34 issued by another state or country that is valid or has expired within  
35 a time period designated by the commission, shall be subject to the  
36 permit and license requirements and penalties applicable to State  
37 permit and license applicants who are of the same age; except that if  
38 the other state or country has permit or license standards  
39 substantially similar to those of this State, the credentials of the  
40 other state or country shall be acceptable.

41 The commission shall create classified licensing of drivers  
42 covering the following classifications:

43 a. Motorcycles, except that for the purposes of this section,  
44 motorcycle shall not include any three-wheeled motor vehicle  
45 equipped with a single cab with glazing enclosing the occupant,  
46 seats similar to those of a passenger vehicle or truck, seat belts and  
47 automotive steering or any vehicle defined as a motorcycle pursuant  
48 to R.S.39:1-1 having a motor with a maximum piston displacement

1 that is less than 50 cubic centimeters or a motor that is rated at no  
2 more than 1.5 brake horsepower with a maximum speed of no more  
3 than 35 miles per hour on a flat surface.

4 b. Omnibuses as classified by R.S.39:3-10.1 and school buses  
5 classified under N.J.S.18A:39-1 et seq.

6 c. (Deleted by amendment, P.L.1999, c.28)

7 d. All motor vehicles not included in classifications a. and b. A  
8 license issued pursuant to this classification d. shall be referred to  
9 as the "basic driver's license."

10 Every applicant for a license under classification b. shall be a  
11 holder of a basic driver's license. Any issuance of a license under  
12 classification b. shall be by endorsement on the basic driver's  
13 license.

14 A driver's license for motorcycles may be issued separately, but  
15 if issued to the holder of a basic driver's license, it shall be by  
16 endorsement on the basic driver's license. The holder of a basic  
17 driver's license or a separately issued motorcycle license shall be  
18 authorized to operate a motorcycle having a motor with a maximum  
19 piston displacement that is less than 50 cubic centimeters or a motor  
20 that is rated at no more than 1.5 brake horsepower with a maximum  
21 speed no more than 35 miles per hour on a flat surface.

22 The commission, upon payment of the lawful fee and after it or a  
23 person authorized by it has examined the applicant and is satisfied  
24 of the applicant's ability as an operator, may, in its discretion, issue  
25 a license to the applicant to drive a motor vehicle. The license shall  
26 authorize the applicant to drive any registered vehicle, of the kind  
27 or kinds indicated, and shall expire, except as otherwise provided,  
28 on the last day of the 48th calendar month following the calendar  
29 month in which the license was issued.

30 The commission may, at its discretion and for good cause shown,  
31 issue licenses which shall expire on a date fixed by it. If the  
32 commission issues a license to a person who has demonstrated  
33 authorization to be present in the United States for a period of time  
34 shorter than the standard period of the license, the commission shall  
35 fix the expiration date of the license at a date based on the period in  
36 which the person is authorized to be present in the United States  
37 under federal immigration laws. The commission may renew the  
38 license only if it is demonstrated that the person's continued  
39 presence in the United States is authorized under federal law. The  
40 fee for licenses with expiration dates fixed by the commission shall  
41 be fixed by the commission in amounts proportionately less or  
42 greater than the fee herein established.

43 The required fee for a license for the 48-month period shall be as  
44 follows:

45 Motorcycle license or endorsement: \$18.

46 Omnibus or school bus endorsement: \$18.

47 Basic driver's license: \$18.

1 The commission shall waive the payment of fees for issuance of  
2 omnibus endorsements whenever an applicant establishes to the  
3 commission's satisfaction that the applicant will use the omnibus  
4 endorsement exclusively for operating omnibuses owned by a  
5 nonprofit organization duly incorporated under Title 15 or 16 of the  
6 Revised Statutes or Title 15A of the New Jersey Statutes.

7 The commission shall issue licenses for the following license  
8 period on and after the first day of the calendar month immediately  
9 preceding the commencement of the period, the licenses to be  
10 effective immediately.

11 All applications for renewals of licenses shall be made in a  
12 manner prescribed by the commission and in accordance with  
13 procedures established by it.

14 The commission in its discretion may refuse to grant a permit or  
15 license to drive motor vehicles to a person who is, in its estimation,  
16 not a proper person to be granted a permit or license, but no defect  
17 of the applicant shall debar the applicant from receiving a permit or  
18 license unless it can be shown by tests approved by the commission  
19 that the defect incapacitates the applicant from safely operating a  
20 motor vehicle.

21 In addition to requiring an applicant for a driver's license to  
22 submit satisfactory proof of identity and age, the commission also  
23 shall require the applicant to provide, as a condition for obtaining a  
24 permit and license, satisfactory proof that the applicant's presence  
25 in the United States is authorized under federal law.

26 If the commission has reasonable cause to suspect that any  
27 document presented by an applicant as proof of identity, age, or  
28 legal residency is altered, false, or otherwise invalid, the  
29 commission shall refuse to grant the permit or license until the time  
30 when the document may be verified by the issuing agency to the  
31 commission's satisfaction.

32 A person violating this section shall be subject to a fine not  
33 exceeding \$500 or imprisonment in the county jail for not more  
34 than 60 days, but if that person has never been licensed to drive in  
35 this State or any other jurisdiction, the applicant shall be subject to  
36 a fine of not less than \$200 and, in addition, the court shall issue an  
37 order to the commission requiring the commission to refuse to issue  
38 a license to operate a motor vehicle to the person for a period of not  
39 less than 180 days. The penalties provided for by this paragraph  
40 shall not be applicable in cases where failure to have actual  
41 possession of the operator's license is due to an administrative or  
42 technical error by the commission.

43 Nothing in this section shall be construed to alter or extend the  
44 expiration of any license issued prior to the date this amendatory  
45 and supplementary act becomes operative.

46 As used in this section:

1 "Parking sensors" means proximity sensors which use either  
2 electromagnetic or ultrasonic technology and are designed to alert  
3 the driver to obstacles while parking.

4 "Rear visibility system" means devices or components installed  
5 on a motor vehicle at the time of manufacture that allow a forward  
6 facing driver to view a visual image of the area directly behind the  
7 vehicle.<sup>1</sup>

8 (cf: P.L.2016, c.81, s.2)

9  
10 <sup>1</sup>[2. Section 8 of P.L.1998, c.108 (C.27:5F-41) is amended to  
11 read as follows:

12 8. a. he Director of the **【Office】** Division of Highway Traffic  
13 Safety in the Department of Law and Public Safety, after  
14 consultation with the Chief Administrator of the New Jersey Motor  
15 Vehicle Commission in, but not of, the Department of  
16 Transportation, shall develop curriculum guidelines for use by  
17 teachers of approved classroom driver education courses. The  
18 course of instruction for approved courses shall be no less than 30  
19 hours in length and be designed to develop and instill the  
20 knowledge and attitudes necessary for the safe operation and  
21 driving of motor vehicles. Defensive driving, highway courtesy,  
22 bicycle and pedestrian safety, dangers of driving a vehicle in an  
23 aggressive manner, which shall include, but not be limited to,  
24 unexpectedly altering the speed of a vehicle, making improper or  
25 erratic traffic lane changes, disregarding traffic control devices,  
26 failing to yield the right of way, and following another vehicle too  
27 closely, accident avoidance, understanding and respect for the  
28 State's motor vehicle laws, insurance fraud, and State requirements  
29 for and benefits of maintaining automobile insurance shall be  
30 emphasized. The incorporation of these curriculum guidelines in  
31 these classroom courses and the use of related instructional  
32 materials shall be a requirement for approval of the course by the  
33 chief administrator.

34 b. The Director of the **【Office】** Division of Highway Traffic  
35 Safety, in consultation with the Chief Administrator of the New  
36 Jersey Motor Vehicle Commission, shall produce an informational  
37 brochure for parents and guardians of beginning drivers under the  
38 age of 18 years. The commission shall ensure that the parents or  
39 guardians of a permit holder receive these brochures at the time a  
40 permit is issued to a beginning driver. The brochures shall include,  
41 but not be limited to, the following information:

- 42 (1) Setting an example for the beginning driver;
- 43 (2) Accident and fatality statistics about beginning drivers;
- 44 (3) Causes of accidents among beginning drivers;
- 45 (4) The need to supervise vehicle operation by a beginning  
46 driver;
- 47 (5) Methods to coach a beginning driver on how to reduce  
48 accidents;

1 (6) A description of the graduated driver's license program;  
2 (7) Benefits of classroom and behind-the-wheel driver education  
3 under the direction of State certified or licensed driving instructors,  
4 as the case may be; and

5 (8) The dangers of driving a vehicle in an aggressive manner,  
6 which shall include, but not be limited to, unexpectedly altering the  
7 speed of a vehicle, making improper or erratic traffic lane changes,  
8 disregarding traffic control devices, failing to yield the right of way,  
9 and following another vehicle too closely.

10 (9) Maintaining an awareness of operating a motor vehicle in a  
11 manner that safely shares the roadway with pedestrians, bicyclists,  
12 skaters, riders of motorized-scooters and other non-motorized  
13 vehicles, which shall include, but not be limited to, passing a cyclist  
14 on the road, recognizing bicycle lanes, navigating intersections with  
15 pedestrians and cyclists, and exiting a vehicle without endangering  
16 pedestrians and cyclists.

17 (cf: P.L.2015, c.36, s.2)]<sup>1</sup>

18

19 <sup>1</sup>2. Section 8 of P.L.1998, c.108 (C.27:5F-41) is amended to  
20 read as follows:

21 8. a. The Director of the Division of Highway Traffic Safety in  
22 the Department of Law and Public Safety, after consultation with  
23 the Chief Administrator of the New Jersey Motor Vehicle  
24 Commission, shall develop curriculum guidelines for use by  
25 teachers of approved classroom driver education courses. The  
26 course of instruction for approved courses shall be no less than 30  
27 hours in length and be designed to develop and instill the  
28 knowledge and attitudes necessary for the safe operation and  
29 driving of motor vehicles. Defensive driving; highway courtesy;  
30 dangers of driving a vehicle in an aggressive manner, which shall  
31 include, but not be limited to, unexpectedly altering the speed of a  
32 vehicle, making improper or erratic traffic lane changes,  
33 disregarding traffic control devices, failing to yield the right of way,  
34 and following another vehicle too closely; accident avoidance;  
35 understanding and respect for the State's motor vehicle laws;  
36 techniques for the safe operation and proper maintenance of a  
37 vehicle, which shall include, but not be limited to, safety tips to  
38 avoid carbon monoxide poisoning from motor vehicles; insurance  
39 fraud; operating a motor vehicle in a manner that safely shares the  
40 roadway with pedestrians, cyclists, skaters, riders of motorized-  
41 scooters, and other non-motorized vehicles, which shall include, but  
42 not be limited to, passing a cyclist on the roadway, recognizing  
43 bicycle lanes, navigating intersections with pedestrians and cyclists,  
44 and exiting a vehicle without endangering pedestrians and cyclists;  
45 and State requirements for and benefits of maintaining automobile  
46 insurance shall be emphasized. The incorporation of these  
47 curriculum guidelines in these classroom courses and the use of

1 related instructional materials shall be a requirement for approval of  
2 the course by the chief administrator.

3 b. The Director of the Division of Highway Traffic Safety, in  
4 consultation with the Chief Administrator of the New Jersey Motor  
5 Vehicle Commission, shall produce an informational brochure for  
6 parents and guardians of beginning drivers under the age of 18  
7 years. The commission shall ensure that the parents or guardians of  
8 a permit holder receive these brochures at the time a permit is  
9 issued to a beginning driver. The brochures shall include, but not be  
10 limited to, the following information:

11 (1) Setting an example for the beginning driver;

12 (2) Accident and fatality statistics about beginning drivers;

13 (3) Causes of accidents among beginning drivers;

14 (4) The need to supervise vehicle operation by a beginning  
15 driver;

16 (5) Methods to coach a beginning driver on how to reduce  
17 accidents;

18 (6) A description of the graduated driver's license program;

19 (7) Benefits of classroom and behind-the-wheel driver education  
20 under the direction of State certified or licensed driving instructors,  
21 as the case may be;

22 (8) The dangers of driving a vehicle in an aggressive manner,  
23 which shall include, but not be limited to, unexpectedly altering the  
24 speed of a vehicle, making improper or erratic traffic lane changes,  
25 disregarding traffic control devices, failing to yield the right of way,  
26 and following another vehicle too closely; **[and]**

27 (9) The dangers of carbon monoxide poisoning from motor  
28 vehicles and techniques for the safe operation and proper  
29 maintenance of a vehicle, which shall include, but not be limited to,  
30 safety tips to avoid carbon monoxide poisoning from motor  
31 vehicles; and

32 (10) Maintaining an awareness of operating a motor vehicle in a  
33 manner that safely shares the roadway with pedestrians, cyclists,  
34 skaters, riders of motorized-scooters, and other non-motorized  
35 vehicles, which shall include, but not be limited to, passing a cyclist  
36 on the roadway, recognizing bicycle lanes, navigating intersections  
37 with pedestrians and cyclists, and exiting a vehicle without  
38 endangering pedestrians and cyclists.<sup>1</sup>

39 (cf: P.L.2016, c.81, s.1)

40

41 3. This act shall take effect on the first day of the seventh month  
42 after enactment.