

# ASSEMBLY, No. 4743

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

**Sponsored by:**

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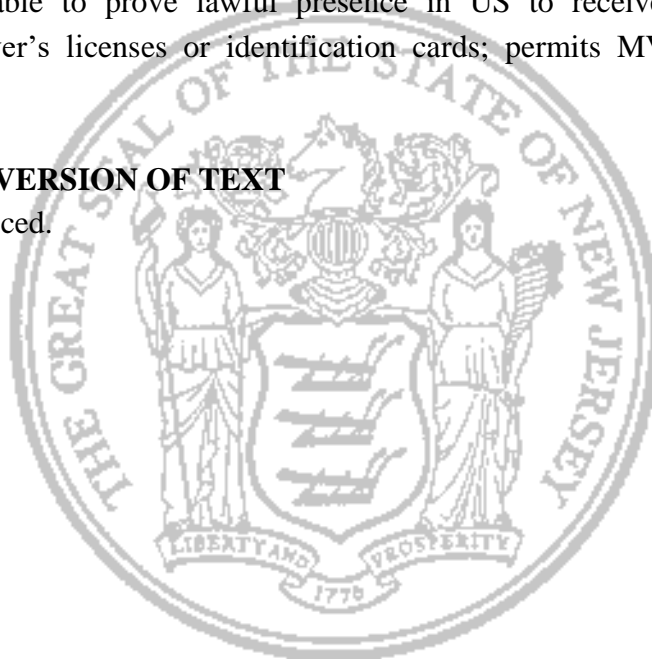
**District 17 (Middlesex and Somerset)**

### **SYNOPSIS**

Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.

### **CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning documents, driver's licenses, and non-driver  
2 identification cards provided by the New Jersey Motor Vehicle  
3 Commission, amending various parts of the statutory law, and  
4 supplementing Title 39 of the Revised Statutes.

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

8  
9 1. R.S.39:1-1 is amended to read as follows:

10 39:1-1. As used in this subtitle, unless other meaning is clearly  
11 apparent from the language or context, or unless inconsistent with  
12 the manifest intention of the Legislature:

13 "Alley" means a public highway wherein the roadway does not  
14 exceed 12 feet in width.

15 "Authorized emergency vehicles" means vehicles of the fire  
16 department, police vehicles and such ambulances and other vehicles  
17 as are approved by the chief administrator when operated in  
18 response to an emergency call.

19 "Autocycle" means a three-wheeled motorcycle designed to be  
20 controlled with a steering wheel and pedals in which the operator  
21 and passenger may ride in a completely or partially enclosed seating  
22 area that is equipped with a roll cage or roll hoops, safety seat belts  
23 for each occupant, and anti-lock brakes.

24 "Automobile" includes all motor vehicles except motorcycles.

25 "Berm" means that portion of the highway exclusive of roadway  
26 and shoulder, bordering the shoulder but not to be used for  
27 vehicular travel.

28 "Business district" means that portion of a highway and the  
29 territory contiguous thereto, where within any 600 feet along such  
30 highway there are buildings in use for business or industrial  
31 purposes, including but not limited to hotels, banks, office  
32 buildings, railroad stations, and public buildings which occupy at  
33 least 300 feet of frontage on one side or 300 feet collectively on  
34 both sides of the roadway.

35 "Car pool" means two or more persons commuting on a daily  
36 basis to and from work by means of a vehicle with a seating  
37 capacity of nine passengers or less.

38 "Chief Administrator" or "Administrator" means the Chief  
39 Administrator of the New Jersey Motor Vehicle Commission.

40 "Commercial motor vehicle" includes every type of motor-driven  
41 vehicle used for commercial purposes on the highways, such as the  
42 transportation of goods, wares and merchandise, excepting such  
43 vehicles as are run only upon rails or tracks and vehicles of the  
44 passenger car type used for touring purposes or the carrying of farm  
45 products and milk, as the case may be.

**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 "Commission" means the New Jersey Motor Vehicle  
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-  
3 4).

4 "Commissioner" means the Commissioner of Transportation of  
5 this State.

6 "Commuter van" means a motor vehicle having a seating  
7 capacity of not less than seven nor more than 15 adult passengers,  
8 in which seven or more persons commute on a daily basis to and  
9 from work and which vehicle may also be operated by the driver or  
10 other designated persons for their personal use.

11 "Crosswalk" means that part of a highway at an intersection,  
12 either marked or unmarked existing at each approach of every  
13 roadway intersection, included within the connections of the lateral  
14 lines of the sidewalks on opposite sides of the highway measured  
15 from the curbs or, in the absence of curbs, from the edges of the  
16 shoulder, or, if none, from the edges of the roadway; also, any  
17 portion of a highway at an intersection or elsewhere distinctly  
18 indicated for pedestrian crossing by lines or other marking on the  
19 surface.

20 "Curb extension" or "bulbout" means a horizontal extension of  
21 the sidewalk into the street which results in a narrower roadway  
22 section.

23 "Dealer" includes every person actively engaged in the business  
24 of buying, selling or exchanging motor vehicles or motorcycles and  
25 who has an established place of business.

26 "Deputy Chief Administrator" means the deputy chief  
27 administrator of the commission.

28 "Driver" means the rider or driver of a horse, bicycle or  
29 motorcycle or the driver or operator of a motor vehicle, unless  
30 otherwise specified.

31 "Explosives" means any chemical compound or mechanical  
32 mixture that is commonly used or intended for the purpose of  
33 producing an explosion and which contains any oxidizing and  
34 combustive units or other ingredients in such proportions, quantities  
35 or packing that an ignition by fire, friction, by concussion, by  
36 percussion, or by detonator of any part of the compound or mixture  
37 may cause such a sudden generation of highly heated gases that the  
38 resultant gaseous pressures are capable of producing destructive  
39 effects on contiguous objects or of destroying life or limb.

40 "Farm tractor" means every motor vehicle designed and used  
41 primarily as a farm implement for drawing plows, mowing  
42 machines, and other implements of husbandry.

43 "Flammable liquid" means any liquid having a flash point below  
44 200 degrees Fahrenheit, and a vapor pressure not exceeding 40  
45 pounds.

46 "Gross weight" means the combined weight of a vehicle and a  
47 load thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is  
2 used to transport two or more persons and shall include public  
3 transportation, car pool, van pool, and other vehicles as determined  
4 by regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of  
6 every way publicly maintained when any part thereof is open to the  
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as  
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the  
11 roadway.

12 "Intersection" means the area embraced within the prolongation  
13 of the lateral curb lines or, if none, the lateral boundary lines of two  
14 or more highways which join one another at an angle, whether or  
15 not one such highway crosses another.

16 "Laned roadway" means a roadway which is divided into two or  
17 more clearly marked lanes for vehicular traffic.

18 "Leased limousine" means any limousine subject to regulation in  
19 the State which:

20 a. Is offered for rental or lease, without a driver, to be operated  
21 by a limousine service as the lessee, for the purpose of carrying  
22 passengers for hire; and

23 b. Is leased or rented for a period of one year or more  
24 following registration.

25 "Leased motor vehicle" means any motor vehicle subject to  
26 registration in this State which:

27 a. Is offered for rental or lease, without a driver, to be operated  
28 by the lessee, his agent or servant, for purposes other than the  
29 transportation of passengers for hire; and

30 b. Is leased or rented for a period of one year or more  
31 following registration.

32 "Limited-access highway" means every highway, street, or  
33 roadway in respect to which owners or occupants of abutting lands  
34 and other persons have no legal right of access to or from the same  
35 except at such points only and in such manner as may be  
36 determined by the public authority having jurisdiction over such  
37 highway, street, or roadway; and includes any highway designated  
38 as a "freeway" or "parkway" by authority of law.

39 "Local authorities" means every county, municipal and other  
40 local board or body having authority to adopt local police  
41 regulations under the Constitution and laws of this State, including  
42 every county governing body with relation to county roads.

43 "Low-speed vehicle" means a four-wheeled low-speed vehicle,  
44 as defined in 49 [CFR] C.F.R. s.571.3(b), whose attainable speed is  
45 more than 20 miles per hour but not more than 25 miles per hour on  
46 a paved level surface and which is not powered by gasoline or

1 diesel fuel and complies with federal safety standards as set forth in  
2 49 [CFR] C.F.R. s.571.500.

3 "Magistrate" means any municipal court and the Superior Court,  
4 and any officer having the powers of a committing magistrate and  
5 the chief administrator.

6 "Manufacturer" means a person engaged in the business of  
7 manufacturing or assembling motor vehicles, who will, under  
8 normal business conditions during the year, manufacture or  
9 assemble at least 10 new motor vehicles.

10 "Metal tire" means every tire the surface of which in contact with  
11 the highway is wholly or partly of metal or other hard nonresilient  
12 material.

13 "Mid-block crosswalk" means a crosswalk located away from an  
14 intersection, distinctly indicated by lines or markings on the  
15 surface.

16 "Motorized bicycle" means a pedal bicycle having a helper motor  
17 characterized in that either the maximum piston displacement is less  
18 than 50 cc. or said motor is rated at no more than 1.5 brake  
19 horsepower or is powered by an electric drive motor and said  
20 bicycle is capable of a maximum speed of no more than 25 miles  
21 per hour on a flat surface.

22 "Motorcycle" includes motorcycles, autocycles, motor bikes,  
23 bicycles with motor attached and all motor-operated vehicles of the  
24 bicycle or tricycle type, except motorized bicycles as defined in this  
25 section, whether the motive power be a part thereof or attached  
26 thereto and having a saddle or seat with driver sitting astride or  
27 upon it or a platform on which the driver stands.

28 "Motor-drawn vehicle" includes trailers, semitrailers, or any  
29 other type of vehicle drawn by a motor-driven vehicle.

30 "Motor vehicle" includes all vehicles propelled otherwise than by  
31 muscular power, excepting such vehicles as run only upon rails or  
32 tracks and motorized bicycles.

33 "Motorized scooter" means a miniature motor vehicle and  
34 includes, but is not limited to, pocket bikes, super pocket bikes,  
35 scooters, mini-scooters, sport scooters, mini choppers, mini  
36 motorcycles, motorized skateboards and other vehicles with motors  
37 not manufactured in compliance with Federal Motor Vehicle Safety  
38 Standards and which have no permanent Federal Safety  
39 Certification stickers affixed to the vehicle by the original  
40 manufacturer. This term shall not include: electric personal  
41 assistive mobility devices, motorized bicycles or low-speed  
42 vehicles; or motorized wheelchairs, mobility scooters or similar  
43 mobility assisting devices used by persons with physical  
44 disabilities, or persons whose ambulatory mobility has been  
45 impaired by age or illness.

46 "Motorized skateboard" means a skateboard that is propelled  
47 otherwise than by muscular power.

1 "Motorized wheelchair" means any motor-driven wheelchair  
2 utilized to increase the independent mobility, in the activities of  
3 daily living, of an individual who has limited or no ambulation  
4 abilities, and includes mobility scooters manufactured specifically  
5 for such purposes and designed primarily for indoor use.

6 "Noncommercial truck" means every motor vehicle designed  
7 primarily for transportation of property, and which is not a  
8 "commercial vehicle."

9 "Official traffic control devices" means all signs, signals,  
10 markings, and devices not inconsistent with this subtitle placed or  
11 erected by authority of a public body or official having jurisdiction  
12 for the purpose of regulating, warning, or guiding traffic.

13 "Omnibus" includes all motor vehicles used for the  
14 transportation of passengers for hire, except commuter vans and  
15 vehicles used in ridesharing arrangements and school buses, if the  
16 same are not otherwise used in the transportation of passengers for  
17 hire.

18 "Operator" means a person who is in actual physical control of a  
19 vehicle or street car.

20 "Outside lane" means the lane nearest the curb or outer edge of  
21 the roadway.

22 "Owner" means a person who holds the legal title of a vehicle, or  
23 if a vehicle is the subject of an agreement for the conditional sale or  
24 lease thereof with the right of purchase upon performance of the  
25 conditions stated in the agreement and with an immediate right of  
26 possession vested in the conditional vendee or lessee, or if a  
27 mortgagor of a vehicle is entitled to possession, then the conditional  
28 vendee, lessee or mortgagor shall be deemed the owner for the  
29 purpose of this subtitle.

30 "Parking" means the standing or waiting on a street, road or  
31 highway of a vehicle not actually engaged in receiving or  
32 discharging passengers or merchandise, unless in obedience to  
33 traffic regulations or traffic signs or signals.

34 "Passenger automobile" means all automobiles used and  
35 designed for the transportation of passengers, other than omnibuses  
36 and school buses.

37 "Pedestrian" means a person afoot.

38 "Person" includes natural persons, firms, copartnerships,  
39 associations, and corporations.

40 "Pneumatic tire" means every tire in which compressed air is  
41 designed to support the load.

42 "Pole trailer" means every vehicle without motive power  
43 designed to be drawn by another vehicle and attached to the towing  
44 vehicle by means of a reach, or pole, or by being boomed or  
45 otherwise secured to the towing vehicle, and ordinarily used for  
46 transporting long or irregularly shaped loads, such as poles, pipes,

1 or structural members capable, generally, of sustaining themselves  
2 as beams between the supporting connections.

3 "Private road or driveway" means every road or driveway not  
4 open to the use of the public for purposes of vehicular travel.

5 "Railroad train" means a steam engine, electric or other motor,  
6 with or without cars coupled thereto, operated upon rails, except  
7 street cars.

8 "REAL ID basic driver's license" means a basic driver's license  
9 issued by the commission that complies with the provisions of the  
10 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
11 supplementary thereto, and any federal regulations adopted  
12 thereunder.

13 "REAL ID identification card" means an identification card  
14 issued by the commission that complies with the provisions of the  
15 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
16 supplementary thereto, and any federal regulations adopted  
17 thereunder.

18 "REAL ID license" means any license to operate a motor vehicle  
19 issued by the commission that complies with the provisions of the  
20 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
21 supplementary thereto, and any federal regulations adopted  
22 thereunder.

23 "REAL ID motorcycle license" means a motorcycle license  
24 issued by the commission that complies with the provisions of the  
25 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
26 supplementary thereto, and any federal regulations adopted  
27 thereunder.

28 "REAL ID probationary license" means a probationary license  
29 issued by the commission that complies with the provisions of the  
30 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or  
31 supplementary thereto, and any federal regulations adopted  
32 thereunder.

33 "Recreation vehicle" means a self-propelled or towed vehicle  
34 equipped to serve as temporary living quarters for recreational,  
35 camping or travel purposes and used solely as a family or personal  
36 conveyance.

37 "Residence district" means that portion of a highway and the  
38 territory contiguous thereto, not comprising a business district,  
39 where within any 600 feet along such highway there are buildings  
40 in use for business or residential purposes which occupy 300 feet or  
41 more of frontage on at least one side of the highway.

42 "Ridesharing" means the transportation of persons in a motor  
43 vehicle, with a maximum carrying capacity of not more than 15  
44 passengers, including the driver, where such transportation is  
45 incidental to the purpose of the driver. The term shall include such  
46 ridesharing arrangements known as car pools and van pools.

1 "Right-of-way" means the privilege of the immediate use of the  
2 highway.

3 "Road tractor" means every motor vehicle designed and used for  
4 drawing other vehicles and not so constructed as to carry any load  
5 thereon either independently or any part of the weight of a vehicle  
6 or load so drawn.

7 "Roadway" means that portion of a highway improved, designed,  
8 or ordinarily used for vehicular travel, exclusive of the berm or  
9 shoulder. In the event a highway includes two or more separate  
10 roadways, the term "roadway" as used herein shall refer to any such  
11 roadway separately, but not to all such roadways, collectively.

12 "Safety zone" means the area or space officially set aside within  
13 a highway for the exclusive use of pedestrians, which is so plainly  
14 marked or indicated by proper signs as to be plainly visible at all  
15 times while set apart as a safety zone.

16 "School bus" means every motor vehicle operated by, or under  
17 contract with, a public or governmental agency, or religious or other  
18 charitable organization or corporation, or privately operated for the  
19 transportation of children to or from school for secular or religious  
20 education, which complies with the regulations of the New Jersey  
21 Motor Vehicle Commission affecting school buses, including  
22 "School Vehicle Type I" and "School Vehicle Type II" as defined  
23 below:

24 "School Vehicle Type I" means any vehicle designed to transport  
25 16 or more passengers, including the driver, used to transport  
26 enrolled children, and adults only when serving as chaperones, to or  
27 from a school, school connected activity, day camp, summer day  
28 camp, summer residence camp, nursery school, child care center,  
29 preschool center or other similar places of education. Such vehicle  
30 shall comply with the regulations of the New Jersey Motor Vehicle  
31 Commission and either the Department of Education or the  
32 Department of Human Services, whichever is the appropriate  
33 supervising agency.

34 "School Vehicle Type II" means any vehicle designed to  
35 transport less than 16 passengers, including the driver, used to  
36 transport enrolled children, and adults only when serving as  
37 chaperones, to or from a school, school connected activity, day  
38 camp, summer day camp, summer residence camp, nursery school,  
39 child care center, preschool center or other similar places of  
40 education. Such vehicle shall comply with the regulations of the  
41 New Jersey Motor Vehicle Commission and either the Department  
42 of Education or the Department of Human Services, whichever is  
43 the appropriate supervising agency.

44 "School zone" means that portion of a highway which is either  
45 contiguous to territory occupied by a school building or is where  
46 school crossings are established in the vicinity of a school, upon  
47 which are maintained appropriate "school signs" in accordance with



1 specifications adopted by the chief administrator and in accordance  
2 with law.

3 "School crossing" means that portion of a highway where school  
4 children are required to cross the highway in the vicinity of a  
5 school.

6 "Semitrailer" means every vehicle with or without motive power,  
7 other than a pole trailer, designed for carrying persons or property  
8 and for being drawn by a motor vehicle and so constructed that  
9 some part of its weight and that of its load rests upon or is carried  
10 by another vehicle.

11 "Shipper" means any person who shall deliver, or cause to be  
12 delivered, any commodity, produce or article for transportation as  
13 the contents or load of a commercial motor vehicle. In the case of a  
14 sealed ocean container, "shipper" shall not be construed to include  
15 any person whose activities with respect to the shipment are limited  
16 to the solicitation or negotiation of the sale, resale, or exchange of  
17 the commodity, produce or article within that container.

18 "Shoulder" means that portion of the highway, exclusive of and  
19 bordering the roadway, designed for emergency use but not  
20 ordinarily to be used for vehicular travel.

21 "Sidewalk" means that portion of a highway intended for the use  
22 of pedestrians, between the curb line or the lateral line of a  
23 shoulder, or if none, the lateral line of the roadway and the adjacent  
24 right-of-way line.

25 "Sign." See "Official traffic control devices."

26 "Slow-moving vehicle" means a vehicle run at a speed less than  
27 the maximum speed then and there permissible.

28 "Solid tire" means every tire of rubber or other resilient material  
29 which does not depend upon compressed air for the support of the  
30 load.

31 "Standard" means, when used to describe any license to operate  
32 a motor vehicle or any identification card issued by the commission  
33 under the provisions of this Title, that the issuance of the license or  
34 identification card does not require proof of lawful presence in the  
35 United States.

36 "Street" means the same as highway.

37 "Street car" means a car other than a railroad train, for  
38 transporting persons or property and operated upon rails principally  
39 within a municipality.

40 "Stop," when required, means complete cessation from  
41 movement.

42 "Stopping or standing," when prohibited, means any cessation of  
43 movement of a vehicle, whether occupied or not, except when  
44 necessary to avoid conflict with other traffic or in compliance with  
45 the directions of a police officer or traffic control sign or signal.

46 "Suburban business or residential district" means that portion of  
47 highway and the territory contiguous thereto, where within any

1 1,320 feet along that highway there is land in use for business or  
2 residential purposes and that land occupies more than 660 feet of  
3 frontage on one side or collectively more than 660 feet of frontage  
4 on both sides of that roadway.

5 "Through highway" means every highway or portion thereof at  
6 the entrances to which vehicular traffic from intersecting highways  
7 is required by law to stop before entering or crossing the same and  
8 when stop signs are erected as provided in this chapter.

9 "Trackless trolley" means every motor vehicle which is propelled  
10 by electric power obtained from overhead trolley wires but not  
11 operated upon rails.

12 "Traffic" means pedestrians, ridden or herded animals, vehicles,  
13 street cars, and other conveyances either singly, or together, while  
14 using any highway for purposes of travel.

15 "Traffic control signal" means a device, whether manually,  
16 electrically, mechanically, or otherwise controlled, by which traffic  
17 is alternately directed to stop and to proceed.

18 "Trailer" means every vehicle with or without motive power,  
19 other than a pole trailer, designed for carrying persons or property  
20 and for being drawn by a motor vehicle and so constructed that no  
21 part of its weight rests upon the towing vehicle.

22 "Truck" means every motor vehicle designed, used, or  
23 maintained primarily for the transportation of property.

24 "Truck tractor" means every motor vehicle designed and used  
25 primarily for drawing other vehicles and not so constructed as to  
26 carry a load other than a part of the weight of the vehicle and load  
27 so drawn.

28 "Van pooling" means seven or more persons commuting on a  
29 daily basis to and from work by means of a vehicle with a seating  
30 arrangement designed to carry seven to 15 adult passengers.

31 "Vehicle" means every device in, upon or by which a person or  
32 property is or may be transported upon a highway, excepting  
33 devices moved by human power or used exclusively upon stationary  
34 rails or tracks or motorized bicycles.

35 (cf: P.L.2016, c.35, s.1)

36

37 2. R.S.39:3-10 is amended to read as follows:

38 39:3-10. A person shall not drive a motor vehicle on a public  
39 highway in this State unless the person is under supervision while  
40 participating in a behind-the-wheel driving course pursuant to  
41 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
42 validated permit, or a probationary or basic driver's license issued to  
43 that person in accordance with this article.

44 A person under 18 years of age shall not be issued a basic license  
45 to drive motor vehicles, and a person shall not be issued a validated  
46 permit, including a validated examination permit, until the applicant  
47 has passed a satisfactory examination and other requirements as to

1 the applicant's ability as an operator. The examination shall  
2 include: a test of the applicant's vision; the applicant's ability to  
3 understand traffic control devices; the applicant's knowledge of safe  
4 driving practices, including the dangers of driving a vehicle in an  
5 aggressive manner, which shall include, but not be limited to,  
6 unexpectedly altering the speed of a vehicle, making improper or  
7 erratic traffic lane changes, disregarding traffic control devices,  
8 failing to yield the right of way, and following another vehicle too  
9 closely; the applicant's knowledge of operating a motor vehicle in a  
10 manner that safely shares the roadway with pedestrians, cyclists,  
11 skaters, riders of motorized-scooters, and other non-motorized  
12 vehicles, which shall include, but not be limited to, passing a cyclist  
13 on the roadway, recognizing bicycle lanes, navigating intersections  
14 with pedestrians and cyclists, and exiting a vehicle without  
15 endangering pedestrians and cyclists; the applicant's knowledge of  
16 the effects that ingestion of alcohol or drugs has on a person's  
17 ability to operate a motor vehicle; the applicant's knowledge of the  
18 dangers of carbon monoxide poisoning from motor vehicles and  
19 techniques for the safe operation and proper maintenance of a motor  
20 vehicle; the applicant's knowledge of portions of the mechanism of  
21 motor vehicles as is necessary to insure the safe operation of a  
22 vehicle of the kind or kinds indicated by the applicant; and the  
23 applicant's knowledge of the laws and ordinary usages of the road.  
24 The examination shall be made available in English and each of the  
25 three languages, other than English, most commonly spoken in the  
26 State, as determined by the chief administrator. The chief  
27 administrator shall periodically, and at least every five years, verify  
28 the three languages, other than English, most commonly spoken in  
29 the State.

30 A person shall not sit for an examination for any permit without  
31 exhibiting photo identification deemed acceptable by the  
32 commission, unless that person is a high school student  
33 participating in a course of automobile driving education approved  
34 by the State Department of Education and conducted in a public,  
35 parochial, or private school of this State, pursuant to section 1 of  
36 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the  
37 written law knowledge examination for any person 18 years of age  
38 or older possessing a valid driver's license issued by any other state,  
39 the District of Columbia, or the United States Territories of  
40 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The  
41 commission shall be required to provide that person with a booklet  
42 that highlights those motor vehicle laws unique to New Jersey. A  
43 road test shall be required for a probationary license and serve as a  
44 demonstration of the applicant's ability to operate a vehicle of the  
45 class designated. During the road test, an applicant may use a rear  
46 visibility system, parking sensors, or other technology installed on

1 the motor vehicle that enables the applicant to view areas directly  
2 behind the vehicle or alerts the applicant of obstacles while parking.

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

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

38 A person issued a motorcycle license pursuant to this section  
39 may be issued a standard motorcycle license or a REAL ID  
40 motorcycle license. In addition to requiring the person to submit  
41 satisfactory proof of identity and age, the commission shall require  
42 the person to provide:

43 (1) as a condition for obtaining a standard motorcycle license,  
44 two documents providing satisfactory proof that the person is a New  
45 Jersey resident and proof of the person's social security number. If  
46 the person does not have a social security number, the person shall

1 indicate, in a manner prescribed by the commission, that the person  
2 is not eligible to receive a social security number; or

3 (2) as a condition for obtaining a REAL ID motorcycle license:  
4 two documents providing satisfactory proof that the person is a New  
5 Jersey resident; proof of the person's social security number or  
6 verification of ineligibility for a social security number in  
7 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
8 acts amendatory or supplementary thereto, and any federal  
9 regulations adopted thereunder; and proof that the person's  
10 presence in the United States is authorized under federal law.

11 A standard motorcycle license shall indicate that the license shall  
12 not be accepted as identification for an official purpose, as that term  
13 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any  
14 acts amendatory or supplementary thereto, and any federal  
15 regulations adopted thereunder, and shall bear a unique design or  
16 color to indicate that the license shall not be accepted for such  
17 official purpose.

18 The commission shall issue a standard basic driver's license or a  
19 REAL ID basic driver's license to operate a motor vehicle other  
20 than a motorcycle to a person over 18 years of age who previously  
21 has not been licensed to drive a motor vehicle in this State or  
22 another jurisdiction only if that person has: (1) operated a passenger  
23 automobile in compliance with the requirements of this Title for not  
24 less than one year, not including any period of suspension or  
25 postponement, from the date of issuance of a probationary license  
26 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been  
27 assessed more than two motor vehicle points; (3) not been convicted  
28 in the previous year for a violation of R.S.39:4-50, section 2 of  
29 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189  
30 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,  
31 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other  
32 motor vehicle-related violation the commission determines to be  
33 significant and applicable pursuant to regulation; and (4) passed an  
34 examination of the applicant's ability to operate a motor vehicle  
35 pursuant to this section.

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

45 Up to 20 questions may be added to the examination on subjects  
46 to be determined by the commission that are of particular relevance  
47 to youthful drivers, including the importance of operating a motor

1 vehicle in a manner that safely shares the roadway with pedestrians,  
2 cyclists, skaters, riders of motorized-scooters, and other non-  
3 motorized vehicles, which shall include, but not be limited to,  
4 passing a cyclist on the roadway, recognizing bicycle lanes,  
5 navigating intersections with pedestrians and cyclists, and exiting a  
6 vehicle without endangering pedestrians and cyclists, and the  
7 dangers of driving a vehicle in an aggressive manner, which shall  
8 include, but not be limited to, unexpectedly altering the speed of a  
9 vehicle, making improper or erratic traffic lane changes,  
10 disregarding traffic control devices, failing to yield the right of way,  
11 and following another vehicle too closely, after consultation with  
12 the Director of the Division of Highway Traffic Safety in the  
13 Department of Law and Public Safety.

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

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

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

29 Any person applying for a driver's license to operate a motor  
30 vehicle or motorized bicycle in this State shall surrender to the  
31 commission any current driver's license issued to the applicant by  
32 another state or jurisdiction upon the applicant's receipt of a driver's  
33 license for this State. The commission shall refuse to issue a  
34 driver's license if the applicant fails to comply with this provision.

35 An applicant for a permit or license who is **less than** under 18  
36 years of age, and who holds a permit or license for a passenger  
37 automobile issued by another state or country that is valid or has  
38 expired within a time period designated by the commission, shall be  
39 subject to the permit and license requirements and penalties  
40 applicable to State permit and license applicants who are of the  
41 same age; except that if the other state or country has permit or  
42 license standards substantially similar to those of this State, the  
43 credentials of the other state or country shall be acceptable.

44 The commission shall create classified licensing of drivers  
45 covering the following classifications:

46 a. Motorcycles, except that for the purposes of this section,  
47 motorcycle shall not include any three-wheeled motor vehicle

1 equipped with a single cab with glazing enclosing the occupant,  
2 seats similar to those of a passenger vehicle or truck, seat belts and  
3 automotive steering or any vehicle defined as a motorcycle pursuant  
4 to R.S.39:1-1 having a motor with a maximum piston displacement  
5 that is less than 50 cubic centimeters or a motor that is rated at no  
6 more than 1.5 brake horsepower with a maximum speed of no more  
7 than 35 miles per hour on a flat surface.

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

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

11 d. All motor vehicles not included in classifications a. and b. A  
12 license issued pursuant to this classification d. shall be referred to  
13 as the "basic driver's license【.】" and may be issued as a standard  
14 basic driver's license or a REAL ID basic driver's license.

15 Every applicant for a license under classification b. shall be a  
16 holder of a basic driver's license. Any issuance of a license under  
17 classification b. shall be by endorsement on the person's basic  
18 driver's license.

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

27 The commission, upon payment of the lawful fee and after it or a  
28 person authorized by it has examined the applicant and is satisfied  
29 of the applicant's ability as an operator, may, in its discretion, issue  
30 a license to the applicant to drive a motor vehicle. The license shall  
31 authorize the person to drive any registered vehicle, of the kind or  
32 kinds indicated.

33 The license shall expire, except as otherwise provided, during the  
34 fourth calendar year following the date in which the license was  
35 issued and on the same calendar day as the person's date of birth. If  
36 the person's date of birth does not correspond to a calendar day of  
37 the fourth calendar year, the license shall expire on the last day of  
38 the person's birth month.

39 The commission may, at its discretion and for good cause shown,  
40 issue licenses 【which shall】 that expire on a date fixed by it. If the  
41 commission issues a REAL ID basic driver's license or REAL ID  
42 motorcycle license to a person who has demonstrated authorization  
43 to be present in the United States for a period of time shorter than  
44 the standard period of the license, the commission shall fix the  
45 expiration date of the license at a date based on the period in which  
46 the person is authorized to be present in the United States under  
47 federal immigration laws. The commission may renew the person's

1 REAL ID basic driver's license or REAL ID motorcycle license  
2 only if it is demonstrated that the person's continued presence in the  
3 United States is authorized under federal law. The fee for licenses  
4 with expiration dates fixed by the commission shall be fixed by the  
5 commission in amounts proportionately less or greater than the fee  
6 herein established.

7 The required fee for a license for the license period shall be as  
8 follows, subject to adjustment pursuant to section 16 of P.L.2007,  
9 c.335 (C.39:2A-36.1):

10 **【Motorcycle】** Standard motorcycle license or endorsement:  
11 \$18.

12 REAL ID motorcycle license: \$29.

13 Omnibus or school bus endorsement: \$18.

14 **【Basic】** Standard basic driver's license: \$18.

15 REAL ID basic driver's license: \$29.

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

22 The commission shall issue licenses for the following license  
23 period on and after the first day of the calendar month immediately  
24 preceding the commencement of the period, the licenses to be  
25 effective immediately.

26 All applications for renewals of licenses shall be made in a  
27 manner prescribed by the commission and in accordance with  
28 procedures established by it.

29 The commission in its discretion may refuse to grant a permit or  
30 license to drive motor vehicles to a person who is, in its estimation,  
31 not a proper person to be granted a permit or license, but a defect of  
32 the applicant shall not debar the applicant from receiving a permit  
33 or license unless it can be shown by tests approved by the  
34 commission that the defect incapacitates the applicant from safely  
35 operating a motor vehicle.

36 In addition to requiring an applicant for a driver's license to  
37 submit satisfactory proof of identity and age, the commission also  
38 shall require the applicant to provide**【.】**:

39 (1) as a condition for obtaining a permit and standard basic  
40 driver's license, two documents providing satisfactory proof that  
41 the applicant is a New Jersey resident and proof of the applicant's  
42 social security number. If the applicant does not have a social  
43 security number, the applicant shall indicate, in a manner prescribed  
44 by the commission, that the applicant is not eligible to receive a  
45 social security number; or

46 (2) as a condition for obtaining a REAL ID basic driver's  
47 license: two documents providing satisfactory proof that the



1 applicant is a New Jersey resident; proof of the applicant's social  
2 security number or verification of ineligibility for a social security  
3 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
4 13, any acts amendatory or supplementary thereto, and any federal  
5 regulations adopted thereunder; and proof that the applicant's  
6 presence in the United States is authorized under federal law.

7 A standard basic driver's license shall indicate that the license  
8 shall not be accepted as identification for an official purpose, as that  
9 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
10 any acts amendatory or supplementary thereto, and any federal  
11 regulations adopted thereunder, and shall bear a unique design or  
12 color to indicate that the license shall not be accepted for such  
13 official purpose.

14 If the commission has reasonable cause to suspect that any  
15 document presented by an applicant [as proof of identity, age, or  
16 legal residency] pursuant to this section is altered, false, or  
17 otherwise invalid, the commission shall refuse to grant the permit or  
18 license until the time when the document may be verified by the  
19 issuing agency to the commission's satisfaction.

20 A person violating this section shall be subject to a fine not  
21 exceeding \$500 or imprisonment in the county jail for not more  
22 than 60 days, but if that person has never been licensed to drive in  
23 this State or any other jurisdiction, the applicant shall be subject to  
24 a fine of not less than \$200 and, in addition, the court shall issue an  
25 order to the commission requiring the commission to refuse to issue  
26 a license to operate a motor vehicle to the person for a period of not  
27 less than 180 days. The penalties provided for by this paragraph  
28 shall not be applicable in cases where failure to have actual  
29 possession of the operator's license is due to an administrative or  
30 technical error by the commission.

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

34 Any documents and personal information, including an  
35 applicant's photograph, obtained by the commission from an  
36 applicant for a standard basic driver's license or standard  
37 motorcycle license shall be confidential, shall not be considered a  
38 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
39 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
40 access to government records, and shall not be disclosed by the  
41 commission for the purpose of investigation, arrest, citation,  
42 prosecution, or detention related to an applicant's citizenship or  
43 immigration status without the consent of the applicant or without a  
44 valid court order or subpoena; except that the commission shall not  
45 be restricted, prohibited, or prevented from maintaining, or sending  
46 to or receiving from federal immigration authorities information  
47 regarding the citizenship or immigration status, lawful or unlawful,

1 of any individual, pursuant to 8 U.S.C. s.1373 and 8 U.S.C. s.1644.  
2 Any person that knowingly discloses any documents or personal  
3 information in violation of this section shall be guilty of a crime of  
4 the fourth degree.

5 Possession of a standard basic driver's license or standard  
6 motorcycle license issued pursuant to this section shall not be  
7 considered evidence of an individual's citizenship or immigration  
8 status and shall not be used as a basis for an investigation, arrest,  
9 citation, prosecution, or detention.

10 As used in this section:

11 "Parking sensors" means proximity sensors which use either  
12 electromagnetic or ultrasonic technology and are designed to alert  
13 the driver to obstacles while parking.

14 "Rear visibility system" means devices or components installed  
15 on a motor vehicle at the time of manufacture that allow a forward  
16 facing driver to view a visual image of the area directly behind the  
17 vehicle.

18 (cf: P.L.2017, c.374, s.1)

19

20 3. R.S.39:3-31 is amended to read as follows:

21 39:3-31. a. The chief administrator, upon presentation of a  
22 statement duly sworn to, stating that the original registration  
23 certificate or original motorized bicycle registration certificate has  
24 been destroyed, lost or stolen, may, if **[he]** the chief administrator  
25 is satisfied that the facts as set forth in the statement are  
26 substantially true, issue a duplicate or amended registration  
27 certificate or motorized bicycle registration certificate to the  
28 original holder thereof, upon the payment to the chief administrator  
29 of a fee of \$5 for each duplicate or amended registration certificate  
30 or motorized bicycle registration certificate so issued. The chief  
31 administrator, upon presentation of a statement, duly sworn to,  
32 stating that the original driver's license has been destroyed, lost or  
33 stolen, or requesting a new color **[picture]** photograph, may, if  
34 **[he]** the chief administrator is satisfied that the facts as set forth in  
35 the statement are substantially true, issue a duplicate driver's license  
36 to the original holder thereof, upon payment to the chief  
37 administrator of a fee of \$5 in addition to the digitized **[picture]**  
38 photograph fee. Notwithstanding any other provision of law to the  
39 contrary, the fee for a duplicate or amended registration certificate  
40 for any new passenger automobile required to be registered for a  
41 48-month term or for any new passenger automobile leased for a  
42 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

43 b. The chief administrator may waive the fee imposed for a  
44 duplicate license under subsection a. of this section if the applicant,  
45 at the time of application: is applying for a REAL ID license, as that  
46 term is defined in R.S.39:1-1; currently holds a valid license to  
47 operate a motor vehicle issued by the commission; and is not

1 eligible to renew the applicant's current license. The chief  
2 administrator's authority to waive the duplicate license fee under  
3 this subsection shall expire on October 1, 2020. In order to receive  
4 a REAL ID license pursuant to this subsection, the applicant shall  
5 first surrender to the commission the applicant's current license to  
6 operate a motor vehicle.

7 (cf: P.L.2004, c.64, s.3)

8

9 4. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read  
10 as follows:

11 1. In addition to the requirements for the form and content of a  
12 motor vehicle driver's license under R.S.39:3-10 and a probationary  
13 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on  
14 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),  
15 each initial New Jersey license, each renewal of a New Jersey  
16 driver's license, and each probationary license shall have a digitized  
17 **【color picture】** photograph of the licensee. All licenses issued on  
18 and after January 1, 2000 shall be valid for a period of 48 calendar  
19 months. However, the chief administrator may, at the chief  
20 administrator's discretion, issue licenses and endorsements **【which】**  
21 that shall expire on a date fixed by the chief administrator. The fee  
22 for those licenses or endorsements shall be fixed in amounts  
23 proportionately less or greater than the fee otherwise established.  
24 Notwithstanding the provisions of this section to the contrary, a  
25 person 70 years of age or older may elect to have a license issued  
26 for a period of two or four years, which election shall not be altered  
27 by the chief administrator. The fee for the two-year standard  
28 license shall be \$9, in addition to the fee for a digitized **【picture】**  
29 photograph established in section 4 of P.L.2001, c.391 (C.39:3-  
30 10f4). The fee for a two-year REAL ID license shall be \$14.50, in  
31 addition to the fee for a digitized photograph established in section  
32 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may,  
33 for good cause, extend a license and any endorsement thereon  
34 beyond their expiration dates for periods not to exceed 12 additional  
35 months. The chief administrator may extend the expiration date of  
36 a license and any endorsement thereon without payment of a  
37 proportionate fee when the chief administrator determines that the  
38 extension is necessary for good cause. If any license and  
39 endorsements thereon are so extended, the licensee shall pay upon  
40 renewal the full license fee for the period fixed by the chief  
41 administrator as if no extension had been granted.

42 Each initial driver's license issued to a person under the age of  
43 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)  
44 shall be conspicuously distinct, through the use of color and design,  
45 from the driver's licenses issued to persons 21 years of age or older.  
46 The chief administrator, in consultation with the Superintendent of  
47 State Police, shall determine the color and the manner in which the

1 license is designed to achieve this result. The license shall **also**  
2 bear the words "UNDER 21" in a conspicuous manner. The chief  
3 administrator shall provide that, upon attaining the age of 21, a  
4 licensee shall be issued a replacement driver's license or a new  
5 license, as appropriate. The fee for a replacement license shall be  
6 \$5 in addition to the digitized **picture** photograph fee.

7 As conditions for the renewal of a driver's license, the chief  
8 administrator shall provide that the **picture** photograph of a  
9 licensee be updated except that the chief administrator may elect to  
10 use a stored **picture** photograph to renew a license for a period  
11 not exceeding four additional years for \$18 for a standard license  
12 and \$29 for a REAL ID license, in addition to the digitized  
13 **picture** photograph fee.

14 In addition to any other extension, the chief administrator shall  
15 allow a person to use a stored **picture** photograph to renew a  
16 license for a period not exceeding one year if the person presents  
17 documentation by a licensed physician that the person is undergoing  
18 medical treatment for an illness and the treatment results in  
19 temporary changes to the person's physical characteristics. The fee  
20 for this extension shall be \$18 for a standard license and \$29 for a  
21 REAL ID license and the person shall not be required to pay the  
22 digitized **picture** photograph fee pursuant to section 4 of  
23 P.L.2001, c.391 (C.39:3-10f4).

24 Whenever a person has reconstructive or cosmetic surgery which  
25 significantly alters the person's facial features, the person shall  
26 notify the chief administrator who may require the **picture**  
27 photograph of the licensee to be updated for \$5 in addition to the  
28 digitized **picture** photograph fee.

29 Nothing in this section shall be construed to alter or change any  
30 expiration date on any New Jersey driver's license issued prior to  
31 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,  
32 unless a licensee's driving privileges are otherwise suspended or  
33 revoked, except as provided in R.S.39:3-10, that license shall  
34 remain valid until that expiration date.

35 Specific use of the driver's license and any information stored or  
36 encoded, electronically or otherwise, in relation thereto shall be in  
37 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal  
38 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.  
39 Notwithstanding the provisions of any other law to the contrary, the  
40 digitized **picture** photograph or any access thereto or any use  
41 thereof shall not be sold, leased, or exchanged for value.

42 (cf: P.L.2015, c.306, s.1)

43

44 5. Section 4 of P.L.2001, c.391 (C.39:3-10f4) is amended to  
45 read as follows:

1       4. The fee for a digitized **[picture]** photograph shall be \$6 for  
2 each license, renewal, or duplicate thereof, and shall be in addition  
3 to the fee presently authorized for the issuance of a driver's license  
4 pursuant to R.S.39:3-10.  
5 (cf: P.L.2001, c.391, s.4)

6  
7       6. R.S.39:3-13 is amended to read as follows:

8       39:3-13. The chief administrator may, in the chief  
9 administrator's discretion, issue to a person over 17 years of age an  
10 examination permit, under the hand and seal of the chief  
11 administrator, allowing such person, for the purpose of fitting the  
12 person to become a licensed driver, to operate a designated class of  
13 motor vehicles other than passenger automobiles and motorcycles  
14 for a specified period of not more than 90 days, while in the  
15 company and under the supervision of a driver licensed to operate  
16 such designated class of motor vehicles.

17       The chief administrator, in the chief administrator's discretion,  
18 may issue for a specified period of not less than one year a  
19 passenger automobile or motorcycle-only examination permit to a  
20 person over 17 years of age regardless of whether a person has  
21 completed a course of behind-the-wheel automobile driving  
22 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).  
23 An examination permit applicant who is under 18 years of age shall  
24 obtain the signature of a parent or guardian for submission to the  
25 commission on a form prescribed by the chief administrator. The  
26 chief administrator shall postpone for six months the driving  
27 privileges of any person who submits a fraudulent signature for a  
28 parent or guardian.

29       For six months immediately following the validation of an  
30 examination permit, and until the holder passes the road test, the  
31 holder who is less than 21 years of age shall operate the passenger  
32 automobile only when accompanied by, and under the supervision  
33 of, a New Jersey licensed driver who is at least 21 years of age and  
34 has been licensed to drive a passenger automobile for not less than  
35 three years. The holder of an examination permit who is at least 21  
36 years of age shall operate the passenger automobile for the first  
37 three months under such supervision and until the holder passes the  
38 road test. The supervising driver of the passenger automobile shall  
39 sit in the front seat of the vehicle. Whenever operating a vehicle  
40 while in possession of an examination permit, the holder of the  
41 permit shall operate the passenger automobile with only one  
42 additional passenger in the vehicle excluding dependents of the  
43 permit holder, except that this passenger restriction shall not apply  
44 when the permit holder is at least 21 years of age or when the  
45 permit holder is accompanied by a parent or guardian. Further, the  
46 holder of the passenger automobile permit who is less than 21 years  
47 of age shall not drive during the hours between 11:01 p.m. and 5

1 a.m.; provided, however, that this condition may be waived for an  
2 emergency which, in the judgment of local police, is of sufficient  
3 severity and magnitude to substantially endanger the health, safety,  
4 welfare, or property of a person, or for any bona fide employment  
5 or religion-related activity if the employer or appropriate religious  
6 authority provides written verification of such activity in a manner  
7 provided for by the chief administrator. The holder of the  
8 examination permit shall not use any hand-held or hands-free  
9 interactive wireless communication device, except in an emergency,  
10 while operating a moving passenger automobile on a public road or  
11 highway. "Use" shall include, but not be limited to, talking or  
12 listening on any hand-held or hands-free interactive wireless  
13 communication device or operating its keys, buttons, or other  
14 controls. The passenger automobile permit holder shall ensure that  
15 all occupants of the vehicle are secured in a properly adjusted and  
16 fastened seat belt or child restraint system.

17 The holder of an examination permit subject to the provisions of  
18 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a  
19 motorcycle at any time from a half-hour after sunset to a half-hour  
20 before sunrise. A motorcycle operated by the holder of an  
21 examination permit shall carry only the operator and shall not be  
22 operated on any toll road over which the New Jersey Turnpike  
23 Authority or the South Jersey Transportation Authority has  
24 jurisdiction or on any limited-access interstate highway.

25 The holder of any examination permit shall not operate a  
26 motorcycle having a motor with a maximum piston displacement  
27 that is less than 50 cubic centimeters or a motor that is rated at no  
28 more than 1.5 brake horsepower with a maximum speed of no more  
29 than 35 miles per hour on a flat surface at anytime from a half-hour  
30 after sunset to a half-hour before sunrise and shall not operate the  
31 motorcycle with any other passenger. The holder of any  
32 examination permit shall not operate such a motorcycle upon  
33 limited-access interstate highways or public roads or highways with  
34 a posted speed limit greater than 35 miles per hour.

35 An applicant for an examination permit subject to the provisions  
36 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18  
37 years of age, shall be required to successfully complete a  
38 motorcycle safety education course established pursuant to the  
39 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a  
40 condition for obtaining a motorcycle license or endorsement.

41 The chief administrator shall provide the holder of an  
42 examination permit with two removable, transferable, highly  
43 visible, reflective decals indicating that the driver of the vehicle  
44 may be the holder of an examination permit. The decals shall be  
45 designed by the chief administrator, in consultation with the  
46 Division of Highway Traffic Safety in the Department of Law and  
47 Public Safety. The chief administrator may charge a fee for the

1 decals not to exceed the actual cost of producing and distributing  
2 the decals. The decals shall be displayed in a manner prescribed by  
3 the chief administrator, in consultation with the Division of  
4 Highway Traffic Safety in the Department of Law and Public  
5 Safety, and shall be clearly visible to law enforcement officers. The  
6 holder of an examination permit shall not operate a vehicle unless  
7 the decals are displayed. The decal shall be removed once the  
8 driver's examination permit period has ended.

9 When notified by a court of competent jurisdiction that an  
10 examination permit holder has been convicted of a violation which  
11 causes the permit holder to accumulate more than two motor vehicle  
12 points or has been convicted of a violation of R.S.39:4-50; section 2  
13 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189  
14 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
15 P.L.2017, c.165 (C.2C:11-5.3)**[,]**; subsection c. of N.J.S.2C:12-1;  
16 or any other motor vehicle-related law the chief administrator  
17 deems significant and applicable pursuant to regulation, in addition  
18 to any other penalty that may be imposed, the chief administrator  
19 shall, without the exercise of discretion or a hearing, suspend the  
20 examination permit holder's examination permit for 90 days. The  
21 chief administrator shall restore the permit following the term of the  
22 permit suspension if the permit holder satisfactorily completes a  
23 remedial training course of not less than four hours which may be  
24 given by the commission, a driving school licensed by the chief  
25 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),  
26 or any Statewide safety organization approved by the chief  
27 administrator. The course shall be subject to oversight by the  
28 commission according to its guidelines. The permit holder shall  
29 also remit a course fee prior to the commencement of the course.  
30 The chief administrator also shall postpone without the exercise of  
31 discretion or a hearing the issuance of a basic license for 90 days if  
32 the chief administrator is notified by a court of competent  
33 jurisdiction that the examination permit holder, after completion of  
34 the remedial training course, has been convicted of any motor  
35 vehicle violation which results in the imposition of any motor  
36 vehicle points or has been convicted of a violation of R.S.39:4-50;  
37 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
38 **[c.182]** c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5**[,]**;  
39 subsection c. of N.J.S.2C:12-1; or any other motor vehicle-related  
40 law the chief administrator deems significant and applicable  
41 pursuant to regulation. When the chief administrator is notified by  
42 a court of competent jurisdiction that an examination permit holder  
43 has been convicted of any alcohol or drug-related offense unrelated  
44 to the operation of a motor vehicle and is not otherwise subject to  
45 any other suspension penalty therefor, the chief administrator shall,  
46 without the exercise of discretion or a hearing, suspend the  
47 examination permit for six months.

1 An examination permit for a motorcycle or a commercial motor  
2 vehicle issued to a person with a disability, as determined by the  
3 New Jersey Motor Vehicle Commission after consultation with the  
4 Department of Education, shall be valid for nine months or until the  
5 completion of the road test portion of the license examination,  
6 whichever period is shorter.

7 Each permit shall be sufficient license for the person to operate  
8 such designated class of motor vehicles in this State during the  
9 period specified, while in the company of and under the control of a  
10 driver licensed by this State to operate such designated class of  
11 motor vehicles, or, in the case of a commercial driver license  
12 permit, while in the company of and under the control of a holder of  
13 a valid commercial driver license for the appropriate license class  
14 and with the appropriate endorsements issued by this or any other  
15 state. Such person, as well as the licensed driver, except for a motor  
16 vehicle examiner administering a driving skills test, shall be held  
17 accountable for all violations of this subtitle committed by such  
18 person while in the presence of the licensed driver.

19 In addition to requiring an applicant for an examination permit to  
20 submit satisfactory proof of identity and age, the chief administrator  
21 also shall require the applicant to provide, as a condition for  
22 obtaining the permit, two documents providing satisfactory proof  
23 that the [applicant's presence in the United States is authorized  
24 under federal law] applicant is a resident of the State. An applicant  
25 for a commercial driver license permit shall submit satisfactory  
26 proof that the applicant's presence in the United States is authorized  
27 under federal law and proof of the applicant's social security  
28 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any  
29 acts amendatory or supplementary thereto, and any federal  
30 regulations adopted thereunder.

31 If the chief administrator has reasonable cause to suspect that  
32 any document presented by an applicant [as proof of identity, age,  
33 or legal residency] pursuant to this section is altered, false, or  
34 otherwise invalid, the chief administrator shall refuse to grant the  
35 permit until such time as the document may be verified by the  
36 issuing agency to the chief administrator's satisfaction.

37 The holder of an examination permit shall be required to take a  
38 road test in order to obtain a probationary license. No road test for  
39 any person who has been issued an examination permit to operate a  
40 passenger vehicle shall be given unless the person has met the  
41 requirements of this section. No road test for a probationary license  
42 shall be given unless the applicant has first secured an examination  
43 permit and no such road test shall be scheduled for an applicant  
44 who has secured an examination permit for a passenger vehicle or a  
45 motorcycle for which an endorsement is not required until at least  
46 six months for an applicant under 21 years of age or three months  
47 for an applicant 21 years of age or older shall have elapsed



1 following the validation of the examination permit for practice  
2 driving or, in the case of an examination permit for other vehicles,  
3 until 20 days have elapsed. In the case of an omnibus endorsement  
4 or school bus, no road test shall be scheduled until at least 10 days  
5 shall have elapsed. Every applicant for an examination permit to  
6 qualify for an omnibus endorsement or an articulated vehicle  
7 endorsement shall be a holder of a valid basic driver's license.

8 The required fees for special learner's permits and examination  
9 permits shall be as follows:

10 Basic driver's license.....	up to \$10
11 Motorcycle license or endorsement.....	\$ 5
12 Omnibus or school bus endorsement.....	\$25

13 The chief administrator shall waive the payment of fees for  
14 issuance of examination permits for omnibus endorsements  
15 whenever the applicant establishes to the chief administrator's  
16 satisfaction that said applicant will use the omnibus endorsement  
17 exclusively for operating omnibuses owned by a nonprofit  
18 organization duly incorporated under Title 15 or 16 of the Revised  
19 Statutes or Title 15A of the New Jersey Statutes.

20 The specified period for which a permit is issued may be  
21 extended for not more than an additional 60 days, without payment  
22 of an added fee, upon application made by the holder thereof, where  
23 the holder has applied to take the examination for a driver's license  
24 prior to the expiration of the original period for which the permit  
25 was issued and the chief administrator was unable to schedule an  
26 examination during said period.

27 As a condition for the issuance of an examination permit under  
28 this section, the chief administrator shall secure a digitized  
29 **【picture】** photograph of the applicant. The **【picture】** photograph  
30 shall be stored in a manner prescribed by the chief administrator  
31 and may be displayed on the examination permit.

32 The chief administrator may require that whenever a person to  
33 whom an examination permit has been issued has reconstructive or  
34 cosmetic surgery which significantly alters the person's facial  
35 features, the person shall notify the chief administrator who may  
36 require the **【picture】** photograph of the person to be updated.

37 Specific use of the examination permit and any information  
38 stored or encoded, electronically or otherwise, in relation thereto  
39 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and  
40 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-  
41 322. Notwithstanding the provisions of any other law to the  
42 contrary, the digitized **【picture】** photograph or any access thereto or  
43 any use thereof shall not be sold, leased, or exchanged for value.

44 (cf: P.L.2017, c.165, s.11)

45  
46 7. Section 1 of P.L.1950, c.127 (C.39:3-13.1) is amended to  
47 read as follows:

1       1. The Chief Administrator of the New Jersey Motor Vehicle  
2 Commission may issue to a person over 16 years of age a special  
3 learner's permit, under the hand and seal of the chief administrator,  
4 allowing such person, for the purpose of preparing himself to  
5 qualify for a probationary license for a passenger automobile by  
6 operating a dual pedal controlled motor vehicle while taking a  
7 required course of behind-the-wheel automobile driving education  
8 approved by the State Department of Education and conducted in a  
9 public, parochial, or private school of this State or a course of  
10 behind-the-wheel automobile driving instruction conducted by a  
11 drivers' school duly licensed pursuant to the provisions of P.L.1951,  
12 c.216 (C.39:12-1 et seq.). The special learner's permit shall be  
13 issued in lieu of the examination permit provided for in R.S.39:3-  
14 13.

15       In addition to requiring an applicant for a permit to submit  
16 satisfactory proof of identity and age, the chief administrator also  
17 shall require the applicant to provide, as a condition for obtaining a  
18 permit, two documents providing satisfactory proof that the  
19 **[applicant's presence in the United States is authorized under**  
20 **federal law]** applicant is a resident of the State.

21       If the chief administrator has reasonable cause to suspect that  
22 any document presented by an applicant **[as proof of identity, age**  
23 **or legal residency]** pursuant to this section is altered, false or  
24 otherwise invalid, the chief administrator shall refuse to grant the  
25 permit until such time as the document may be verified by the  
26 issuing agency to the chief administrator's satisfaction.

27       The special learner's permit described above, when issued to a  
28 person taking a course of behind-the-wheel driving education  
29 conducted in a public, parochial, or private school, shall be retained  
30 in the office of the school principal at all times except during such  
31 time as the person to whom the permit is issued is undergoing  
32 behind-the-wheel automobile driving instruction. The chief  
33 administrator may make such rules and regulations as he may deem  
34 necessary to carry out the provisions of this section.

35 (cf: P.L.2009, c.38, s.7)

36

37       8. Section 4 of P.L.1950, c.127 (C.39:3-13.4) is amended to  
38 read as follows:

39       4. a. The holder of a special learner's permit shall be entitled  
40 to a probationary driver's license (1) upon attaining the age of 17  
41 years, (2) upon the satisfactory completion of an approved behind-  
42 the-wheel driver training course as indicated upon the face of the  
43 special permit over the signature of the principal of the school or  
44 the person operating the driving school in which the course was  
45 conducted, (3) upon the completion of six months' driving  
46 experience with a validated special learner's permit in compliance

- 1 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),  
2 and (4) upon passing the road test pursuant to R.S.39:3-10.
- 3 b. The holder of a probationary license shall be permitted to  
4 operate the passenger automobile with only one additional  
5 passenger in the vehicle besides any dependent of the probationary  
6 license holder, except that this passenger restriction shall not apply  
7 when the holder of the probationary license is at least 21 years of  
8 age or the probationary license holder is accompanied by a parent or  
9 guardian. Further, the holder of the probationary license who is  
10 under 21 years of age shall not drive during the hours between  
11 11:01 p.m. and 5 a.m.; provided however, that this condition may  
12 be waived for an emergency which, in the judgment of local police,  
13 is of sufficient severity and magnitude to substantially endanger the  
14 health, safety, welfare, or property of a person or for any bona fide  
15 employment or religion-related activity if the employer or  
16 appropriate religious authority provides written verification of such  
17 activity in a manner provided for by the chief administrator.
- 18 c. The holder of the probationary license shall not use any  
19 hand-held or hands-free interactive wireless communication device,  
20 except in an emergency, while operating a moving passenger  
21 automobile on a public road or highway. "Use" shall include, but  
22 not be limited to, talking or listening on any hand-held or hands-  
23 free interactive wireless communication device or operating its  
24 keys, buttons, or other controls. In addition, the holder of the  
25 probationary license shall ensure that all occupants of the vehicle  
26 are secured in a properly adjusted and fastened seat belt or child  
27 restraint system.
- 28 d. In addition to any other penalties provided under law, the  
29 holder of a probationary license who accumulates more than two  
30 motor vehicle points or is convicted of a violation of R.S.39:4-50;  
31 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
32 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
33 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or  
34 any other motor vehicle law the chief administrator deems to be  
35 significant and applicable pursuant to regulation shall, for the first  
36 violation, be required to satisfactorily complete a remedial training  
37 course of not less than four hours which may be given by the  
38 commission, a driving school licensed by the chief administrator  
39 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any  
40 Statewide safety organization approved by the chief administrator.  
41 The course shall be administered pursuant to rules and regulations  
42 promulgated by the chief administrator and subject to oversight by  
43 the commission. The authority of the chief administrator to  
44 suspend, revoke, or deny issuance of an initial or renewal license to  
45 operate a driving school or an instructor's license, and to assess  
46 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to  
47 any violations related to the administration of a remedial training

1 course. The license holder shall also remit a course fee prior to the  
2 commencement of the course.

3 e. When notified by a court of competent jurisdiction that a  
4 probationary license holder has been convicted of a second or  
5 subsequent violation, in addition to any other penalties provided  
6 under law, the chief administrator shall, without the exercise of  
7 discretion or a hearing, suspend the probationary license for three  
8 months, and shall postpone eligibility for a basic license for an  
9 equivalent period. In addition, when the chief administrator is  
10 notified by a court of competent jurisdiction that a probationary  
11 license holder has been convicted of any alcohol or drug-related  
12 offense unrelated to the operation of a motor vehicle, and he is not  
13 otherwise subject to any other suspension penalty therefor, the chief  
14 administrator shall, without the exercise of discretion or a hearing,  
15 suspend the probationary license for six months.

16 f. The chief administrator shall provide the holder of a  
17 probationary license with two removable, transferable, highly  
18 visible, reflective decals indicating that the driver of the vehicle  
19 may be the holder of a probationary license. The decals shall be  
20 designed by the chief administrator, in consultation with the  
21 Division of Highway Traffic Safety in the Department of Law and  
22 Public Safety. The chief administrator may charge a fee for the  
23 decals not to exceed the actual cost of producing and distributing  
24 the decals. The decals shall be displayed in a manner prescribed by  
25 the chief administrator, in consultation with the Division of  
26 Highway Traffic Safety in the Department of Law and Public  
27 Safety, and shall be clearly visible to law enforcement officers. The  
28 holder of a probationary license shall not operate a vehicle unless  
29 the decals are displayed. The decal shall be removed once the  
30 driver's probationary license period has ended.

31 g. A probationary license may be sent by mail and shall be  
32 clearly identifiable and distinguishable in appearance from a basic  
33 license by any name, mark, color, or device deemed appropriate by  
34 the chief administrator.

35 h. A person issued a probationary license pursuant to this  
36 section may be issued a standard probationary license or a REAL  
37 ID probationary license. In addition to requiring an applicant for a  
38 probationary license to submit satisfactory proof of identity and  
39 age, the chief administrator shall require the applicant to provide:

40 (1) as a condition for obtaining a standard probationary license,  
41 two documents providing satisfactory proof that the applicant is a  
42 New Jersey resident and proof of the applicant's social security  
43 number. If the applicant does not have a social security number, the  
44 applicant shall indicate, in a manner prescribed by the commission,  
45 that the applicant is not eligible to receive a social security number;  
46 or

1       (2) as a condition for obtaining a REAL ID probationary  
2 license: two documents providing satisfactory proof that the  
3 applicant is a New Jersey resident; proof of the applicant's social  
4 security number or verification of ineligibility for a social security  
5 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
6 13, any acts amendatory or supplementary thereto, and any federal  
7 regulations adopted thereunder; and proof that the applicant's  
8 presence in the United States is authorized under federal law.

9       A standard probationary license shall indicate that the license  
10 shall not be accepted as identification for an official purpose, as that  
11 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
12 any acts amendatory or supplementary thereto, and any federal  
13 regulations adopted thereunder, and shall bear a unique design or  
14 color to indicate that the license shall not be accepted for such  
15 official purpose.

16       If the chief administrator has reasonable cause to suspect that  
17 any document presented by an applicant pursuant to this section is  
18 altered, false, or otherwise invalid, the chief administrator shall  
19 refuse to grant the probationary license until such time as the  
20 document may be verified by the issuing agency to the chief  
21 administrator's satisfaction.

22       i. Any documents and personal information, including an  
23 applicant's photograph, obtained by the commission from an  
24 applicant for a standard probationary license shall be confidential,  
25 shall not be considered a government record pursuant to P.L.1963,  
26 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
27 common law concerning access to government records, and shall  
28 not be disclosed by the commission for the purpose of investigation,  
29 arrest, citation, prosecution, or detention related to an applicant's  
30 citizenship or immigration status without the consent of the  
31 applicant or without a valid court order or subpoena; except that the  
32 commission shall not be restricted, prohibited, or prevented from  
33 maintaining, or sending to or receiving from federal immigration  
34 authorities information regarding the citizenship or immigration  
35 status, lawful or unlawful, of any individual, pursuant to  
36 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly  
37 discloses any documents or personal information in violation of this  
38 subsection shall be guilty of a crime of the fourth degree.

39       Possession of a standard probationary license issued pursuant to  
40 this section shall not be considered evidence of an individual's  
41 citizenship or immigration status and shall not be used as a basis for  
42 an investigation, arrest, citation, prosecution, or detention.

43 (cf: P.L.2017, c.165, s.13)

44  
45       9. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read  
46 as follows:

1       2. a. (1) The New Jersey Motor Vehicle Commission shall  
2 issue an identification card to any resident of the State who is 14  
3 years of age or older and who is not the holder of a valid permit or  
4 basic driver's license. The identification card shall attest to the true  
5 name, correct age, and veteran status, upon submission of  
6 satisfactory proof, by any veteran, and shall contain other  
7 identifying data as certified by the applicant for such identification  
8 card. Every application for an identification card shall be signed  
9 and verified by the applicant and shall be accompanied by the  
10 written consent of at least one parent or the person's legal guardian  
11 if the person is under 17 years of age and shall be supported by such  
12 documentary evidence of the age, identity, and veteran status, or  
13 blindness, or disability of such person as the chief administrator  
14 may require. In addition to requiring an applicant for an  
15 identification card to submit satisfactory proof of identity, age, and,  
16 if appropriate, veteran status, the chief administrator also shall  
17 require the applicant to provide **[,]**:

18       (a) as a condition for obtaining **[the]** a standard identification  
19 card, two documents providing satisfactory proof that the applicant  
20 is a New Jersey resident and proof of the applicant's social security  
21 number. If the applicant does not have a social security number, the  
22 applicant shall indicate, in a manner prescribed by the commission,  
23 that the applicant is not eligible to receive a social security number;  
24 or

25       (b) as a condition for obtaining a REAL ID identification card:  
26 two documents providing satisfactory proof that the applicant is a  
27 New Jersey resident; proof of the applicant's social security number  
28 or verification of ineligibility for a social security number in  
29 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
30 acts amendatory or supplementary thereto, and any federal  
31 regulations adopted thereunder; and proof that the applicant's  
32 presence in the United States is authorized under federal law.

33       Any documents and personal information, including an  
34 applicant's photograph, obtained by the commission from an  
35 applicant for a standard identification card shall be confidential,  
36 shall not be considered a government record pursuant to P.L.1963,  
37 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
38 common law concerning access to government records, and shall  
39 not be disclosed by the commission for the purpose of investigation,  
40 arrest, citizenship, prosecution, or detention related to an  
41 applicant's citizenship or immigration status without the consent of  
42 the applicant or without a valid court order or subpoena; except that  
43 the commission shall not be restricted, prohibited, or prevented  
44 from maintaining, or sending to or receiving from federal  
45 immigration authorities information regarding the citizenship or  
46 immigration status, lawful or unlawful, of any individual, pursuant  
47 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly

1 discloses any documents or personal information in violation of this  
2 subsection shall be guilty of a crime of the fourth degree.

3 Possession of a standard identification card issued pursuant to  
4 this section shall not be considered evidence of an individual's  
5 citizenship or immigration status and shall not be used as a basis for  
6 an investigation, arrest, citation, prosecution, or detention.

7 If the chief administrator has reasonable cause to suspect that  
8 any document presented by an applicant [as proof of identity, age,  
9 veteran status, or legal residency] pursuant to this section is altered,  
10 false or otherwise invalid, the chief administrator shall refuse to  
11 grant the identification card until such time as the document may be  
12 verified by the issuing agency to the chief administrator's  
13 satisfaction.

14 (2) In addition to the requirements for the form and content of  
15 an identification card pursuant to this section, the Chief  
16 Administrator of the New Jersey Motor Vehicle Commission shall,  
17 upon submission of satisfactory proof, designate on an  
18 identification card that the card holder is a Gold Star Family  
19 member. The commission shall provide to the Department of  
20 Military and Veterans' Affairs personal identifying information for  
21 any person issued an identification card with a Gold Star Family  
22 designation pursuant to this section.

23 b. The designation of veteran status on an identification card  
24 shall not be deemed sufficient valid proof of veteran status for  
25 official governmental purposes when any other statute, or any  
26 regulation or other directive of a governmental entity, requires  
27 documentation of veteran status.

28 c. For the purpose of this section:

29 "Gold Star Family member" means a spouse, domestic partner,  
30 partner in a civil union, parent, brother, sister, child, legal guardian,  
31 or other legal custodian, whether of the whole or half blood or by  
32 adoption, of a member of the Armed Forces of the United States or  
33 National Guard, who lost his or her life while on active duty for the  
34 United States.

35 "REAL ID identification card" shall have the same meaning as  
36 provided in R.S.39:1-1.

37 "Veteran" means a person who has been honorably discharged  
38 from the active military service of the United States; and

39 "Satisfactory proof" means, in the case of a veteran, a copy of  
40 form DD-214 or federal activation orders showing service under  
41 Title 10, section 672 or section 12301, of the United States Code, or  
42 a county veteran identification card only if issuance of the card  
43 requires a copy of form DD-214 discharge papers or approved  
44 separation forms as outlined by all branches of the military and duly  
45 recorded by the county clerk's office. In the case of a Gold Star  
46 Family member, satisfactory proof includes any or all of the  
47 following:

1 (1) a certification from the Department of New Jersey of  
2 American Gold Star Mothers, Inc., or any other organization formed  
3 for the support of family members of members of the Armed Forces  
4 of the United States or National Guard, who lost their lives while on  
5 active duty for the United States, that the applicant is either the  
6 spouse, domestic partner, partner in a civil union, parent, brother,  
7 sister, child, legal guardian, or other legal custodian, whether of the  
8 whole or half blood or by adoption, of a member of the armed  
9 forces or National Guard who died while on active duty for the  
10 United States; or

11 (2) (a) documentation deemed acceptable by the Adjutant  
12 General, including, but not limited to, a federal DD Form 1300,  
13 Report of Casualty, or a federal DD Form 2064, Certificate of  
14 Death Overseas, which identifies the member of the Armed Forces  
15 of the United States or National Guard who died while on active  
16 duty for the United States; and

17 (b) documentation indicating the applicant's relationship to the  
18 service member.

19 (cf: P.L.2017, c.175, s.7)

20

21 10. Section 3 of P.L.1980, c.47 (C.39:3-29.4) is amended to read  
22 as follows:

23 3. Every identification card authorized by section 2 of **[this**  
24 **act]** P.L.1980, c.47 (C.39:3-29.3) shall bear a color **[picture]**  
25 photograph of the person to whom it is issued and shall be issued  
26 upon the **[standard license]** form prescribed by the **[Division of**  
27 **Motor Vehicles]** New Jersey Motor Vehicle Commission for color  
28 **[picture]** photograph drivers' licenses, except that the card shall  
29 prominently contain the words "For Identification Only." A  
30 standard identification card shall indicate that the identification card  
31 shall not be accepted as identification for an official purpose, as that  
32 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
33 any acts amendatory or supplementary thereto, and any federal  
34 regulations adopted thereunder, and shall bear a unique design or  
35 color to indicate that the identification card shall not be accepted for  
36 such official purpose.

37 (cf: P.L.1999, c.28, s.7)

38

39 11. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read  
40 as follows:

41 4. a. Except as provided in subsection b. of this section, each  
42 original identification card authorized by section 2 of  
43 P.L.1980, c.47 (C.39:3-29.3) shall, unless canceled earlier or  
44 otherwise provided, expire during the fourth calendar year  
45 following its date of issuance and on the same calendar day as the  
46 person's date of birth. If the date of birth of the bearer of the  
47 identification card does not correspond to a calendar day of the



1 fourth calendar year, the identification card shall expire on the last  
2 day of the birth month of the bearer of the card.

3 The identification card shall be renewable upon the request of  
4 the bearer of the card, pursuant to terms of license renewal  
5 established by the New Jersey Motor Vehicle Commission, and  
6 upon payment of a fee as required by section 6 of  
7 P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant  
8 to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind  
9 or who has a disability shall be valid for the life of the holder unless  
10 canceled by the holder. Cards issued prior to October 16, 1989 and  
11 valid upon the effective date of P.L.1990, c.30 shall be valid for the  
12 life of the holder unless canceled by the holder. Cards issued to  
13 persons with blindness or disabilities between October 16, 1989 and  
14 the effective date of P.L.1990, c.30, and which are valid on the  
15 effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made  
16 valid for the life of the holder unless canceled by the holder, upon  
17 presentation of proof that the person's blindness or disability existed  
18 at the time of the original application. The chief administrator is  
19 authorized to require periodic verification of information included  
20 on any identification card issued for or valid for the life of the  
21 holder. Nothing in this section shall be construed to alter or change  
22 any expiration date on any New Jersey identification card issued  
23 prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.)  
24 and any such identification card shall remain valid until its  
25 expiration date.

26 b. If the chief administrator issues **[an]** a REAL ID  
27 identification card to a person who has demonstrated authorization  
28 to be present in the United States for a period of time shorter than  
29 the standard periods of identification cards, the chief administrator  
30 shall fix the expiration date of the REAL ID identification card at a  
31 date based on the period in which the person is authorized to be  
32 present in the United States under federal immigration laws. The  
33 chief administrator may renew such **[an]** REAL ID identification  
34 card only if it is demonstrated that the person's continued presence  
35 in the United States is authorized under federal law.

36 (cf: P.L.2017, c.131, s.153)

37

38 12. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read  
39 as follows:

40 6. a. The chief administrator shall charge fees as follows:

41	<u>Standard Identification Card, Original</u>	\$18
42	Identification Card, Duplicate	\$5
43	Identification Card, Renewal	\$18
44	<u>REAL ID Identification Card</u>	<u>\$29</u>
45	Digitized <b>[picture]</b> <u>photograph</u>	\$6, in addition
46		to the fees
47		required above

1       b. The chief administrator may waive the fees established  
2 under subsection a. of this section for a homeless person who  
3 submits proof of temporary residence through a social worker or the  
4 coordinator of an emergency shelter for the homeless where the  
5 person is temporarily residing. For the purposes of this section,  
6 "homeless person" means a person without a domicile who is  
7 unable to secure permanent and stable housing as determined by a  
8 social worker or the coordinator of an emergency shelter for the  
9 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
10 seq.).

11       c. The chief administrator may waive the fee imposed for a  
12 duplicate identification card if the applicant, at the time of  
13 application: is applying for a REAL ID identification card, as that  
14 term is defined in R.S.39:1-1; currently holds a valid identification  
15 card issued by the commission; and is not eligible to renew the  
16 applicant's current identification card. The chief administrator's  
17 authority to waive the duplicate identification card fee under this  
18 subsection shall expire on October 1, 2020. In order to receive a  
19 REAL ID identification card pursuant to this subsection, the  
20 applicant shall first surrender to the commission the applicant's  
21 current identification card.

22 (cf: P.L.2016, c.99, s.1)

23

24       13. Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is amended  
25 to read as follows:

26       15. a. Insurers shall put in writing all underwriting rules  
27 applicable to each rate level utilized pursuant to section 14 of  
28 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account  
29 factors, including, but not limited to, driving record characteristics  
30 appropriate for underwriting and classification in formulating its  
31 underwriting rules; provided that no underwriting rule based on  
32 motor vehicle violations shall be formulated in such a manner as to  
33 assign any named insured to a rating tier other than the standard  
34 rating tier applicable to the insured's territory solely on the basis of  
35 accumulating four motor vehicle points or less. No underwriting  
36 rule shall operate in such a manner as to assign a risk to a rating  
37 plan on the basis of the territory in which the insured resides or any  
38 other factor which the commissioner finds is a surrogate for  
39 territory. No underwriting rule shall operate in such a manner as to  
40 assign a risk to a rating plan on the basis of an insured holding a  
41 standard motorcycle license or standard basic driver's license issued  
42 pursuant to R.S.39:3-10, or standard probationary license issued  
43 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer  
44 which knowingly fails to transact automobile insurance consistently  
45 with its underwriting rules shall be subject to a fine of not less than  
46 \$1,000 for each violation.

1       b. All underwriting rules applicable to each rate level as  
2 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall  
3 be filed with the commissioner and shall be subject to **【his】** the  
4 commissioner's prior approval. All underwriting rules shall be  
5 subject to public inspection. Except as provided in subsection d. of  
6 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their  
7 underwriting rules uniformly and without exception throughout the  
8 State, so that every applicant or insured conforming with the  
9 underwriting rules will be insured or renewed, and so that every  
10 applicant not conforming with the underwriting rules will be  
11 refused insurance.

12       c. An insurer with more than one rating plan for private  
13 passenger automobile insurance policies providing identical  
14 coverages shall not adopt underwriting rules which would permit a  
15 person to be insured for private passenger automobile insurance  
16 under more than one of the rating plans.

17       d. An insurer that revises its underwriting rules with respect to  
18 the assignment of insureds to rating tiers based on the number of  
19 accumulated motor vehicle points, as provided by subsection a. of  
20 this section, as amended by P.L.2003, c.89, shall certify to the  
21 commissioner that the revised rule will produce rates that are  
22 revenue neutral based upon the insurer's current coverages and book  
23 of business.

24 (cf: P.L.2003, c.89, s.40)

25

26       14. Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended to read  
27 as follows:

28       2. Each application for a driver's license, or a renewal thereof,  
29 required by R.S.39:3-10 shall contain the street address of the place  
30 of residence **【or business】** of the licensee at the time of application  
31 or renewal. A post office box shall appear on a driver's license  
32 application only as part of a mailing address that is submitted by the  
33 licensee in addition to the street address of the licensee's residence  
34 **【or business】**; provided, however, the **【director】** chief  
35 administrator, upon application, shall permit a person who was a  
36 victim of a violation of **【N.J.S.2C:12-10】** section 1 of P.L.1992,  
37 c.209 (C.2C:12-10), N.J.S.2C:14-2, or **【N.J.S.2C:25-17 et seq.】**  
38 P.L.1991, c.261 (C.2C:25-17 et seq.), or who the **【director】** chief  
39 administrator otherwise determines to have good cause, to use as a  
40 mailing address a post office box, an address other than the  
41 applicant's address or other contact point. A licensee whose last  
42 address appears on the records of the **【division】** commission as a  
43 post office box shall change the address on the application for  
44 renewal to the street address of the licensee's residence **【or**  
45 **business】** and, if different from the street address, **【his】** the  
46 licensee's mailing address unless the **【director】** chief administrator

1 has determined, pursuant to this section, that the licensee may use a  
2 post office box, an address other than the licensee's address or other  
3 contact point as a mailing address.  
4 (cf: P.L.1997, c.189, s.2)

5  
6 15. (New section) The holder of a standard basic driver's  
7 license or standard motorcycle license issued pursuant to R.S.39:3-  
8 10, standard probationary license issued pursuant to section 4 of  
9 P.L.1950, c.127 (C.39:3-13.4), and standard identification card  
10 issued pursuant to section 2 of P.L.1980, c.47 (C.39:3-29.3), shall  
11 have the opportunity to obtain employment and to obtain all the  
12 accommodations, advantages, facilities, and privileges of any place  
13 of public accommodation, publicly assisted housing accommodation  
14 in which the person meets all qualifications for receipt of the  
15 publicly assisted housing accommodation under State or federal  
16 law, and other real property without discrimination by reason of  
17 holding or presenting a standard basic driver's license, standard  
18 motorcycle license, standard probationary license, or standard  
19 identification card, subject only to conditions and limitations  
20 applicable alike to all persons.

21 Nothing in this section shall be construed to alter an employer's  
22 rights or obligations under 8 U.S.C. s.1324a regarding obtaining  
23 documentation evidencing identity and authorization for  
24 employment. An action taken by an employer that is required by  
25 8 U.S.C. s.1324a shall not constitute a violation of this section.

26  
27 16. Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is amended to  
28 read as follows:

29 16. a. On and after the effective date of P.L.2007, c.335  
30 (C.39:2A-36.1 et al.), the board may, by regulation adopted  
31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
32 (C.52:14B-1 et seq.), increase fees and surcharges collected  
33 pursuant to the following statutes, notwithstanding any law, rule, or  
34 regulation to the contrary:

35 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of  
36 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152  
37 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6  
38 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108  
39 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-  
40 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of  
41 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-  
42 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);  
43 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,  
44 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);  
45 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162  
46 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);  
47 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-

1 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,  
2 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);  
3 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,  
4 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);  
5 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77  
6 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-  
7 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of  
8 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-  
9 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);  
10 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2  
11 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307  
12 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section  
13 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;  
14 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,  
15 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);  
16 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,  
17 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156  
18 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of  
19 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-  
20 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of  
21 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-  
22 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of  
23 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-  
24 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;  
25 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-  
26 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;  
27 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,  
28 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

29 b. (1) In determining an appropriate increase of any fee or  
30 surcharge pursuant to subsection a. of this section, the board shall  
31 consider at least the following factors: (a) the year in which the fee  
32 or surcharge was last increased; (b) the actual costs to the State of  
33 New Jersey for administering any transaction, process, filing,  
34 registration, inspection, audit, or any license, permit, or other  
35 document issuance, for which the fee or surcharge is collected; and  
36 (c) the annual percentage increase in the Consumer Price Index or  
37 other similar relevant index.

38 No fee or surcharge set forth in this section shall be increased by  
39 regulation more than once during any five-year period, and no such  
40 fee or surcharge shall be increased beyond an amount that exceeds  
41 the actual costs to the State of New Jersey for administering any  
42 transaction, process, filing, registration, inspection, audit, or any  
43 license, permit, or other document issuance, for which the fee or  
44 surcharge is collected.

45 (2) All increases in a fee or surcharge after the first increase  
46 shall also be subject to the following limitation: the increase shall  
47 not exceed the cumulative annual percentage increase in the

1 Consumer Price Index for the five fiscal years prior to the date of  
2 the proposed subsequent increase.

3 (3) All increases in fees or surcharges imposed by regulation  
4 proposed to be adopted in a calendar year shall be consolidated in  
5 one single regulatory proposal in that calendar year.

6 (4) As used in this section, the "Consumer Price Index" means  
7 the consumer price index for all urban consumers in the New York  
8 City and Philadelphia areas as reported by the Department of Labor  
9 or successor index.

10 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13  
11 (C.39:2A-36), 100 percent of the increased revenues collected from  
12 such increase shall be remitted to the commission.  
13 (cf: P.L.2007, c.335, s.16)

14

15 17. Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended to read  
16 as follows:

17 2. The Legislature finds and declares that:

18 a. The Division of Motor Vehicle Services (DMV) is one of the  
19 State's principal customer service agencies with regular and direct  
20 contact with virtually every citizen;

21 b. The DMV has over 15 million contacts a year with the  
22 public, including 39 million transactions, more than any other State  
23 agency;

24 c. The DMV has responsibility for issuing and certifying motor  
25 vehicle driver's licenses, ensuring the proper registration of motor  
26 vehicles, as well as conducting safety and emissions inspections of  
27 motor vehicles;

28 d. The public expects courteous, efficient and accessible  
29 service from government agencies, including the DMV;

30 e. The DMV's failed security systems are contributing to a  
31 growing national problem of identity theft that is costing New  
32 Jersey and the nation millions of dollars each week;

33 f. In the past, the DMV has been unable to deal with fraud and  
34 corruption because of inadequate funding, training, security,  
35 internal controls and oversight;

36 g. The DMV must improve its security system and equipment,  
37 and its fraud detection, training and monitoring so that fraudulent  
38 driver's licenses, such as those used in the furtherance of terroristic  
39 activities, will be eliminated;

40 h. Internal audits and controls and investigations are also  
41 needed to detect patterns of fraud, theft, corruption, identity theft  
42 and mismanagement in the issuance of driver's licenses,  
43 registrations, and titles because DMV documents must be more  
44 resistant to compromise;

45 i. Criminals have used counterfeit passports, Social Security  
46 cards, county identification cards, pay stubs and W-2 forms to

- 1 obtain fraudulent driver's licenses and identification cards in  
2 furtherance of identity-theft schemes;
- 3 j. Proper identification must be required at all phases of the  
4 licensing and driver testing process to assure that only those persons  
5 qualified to legally obtain licenses do so;
- 6 k. It is essential that DMV records be matched with Social  
7 Security Administration records, when presented, in order to verify  
8 the validity of Social Security numbers in DMV databases;
- 9 l. Cameras, armed security guards, panic buttons, alarms,  
10 safety upgrades, card access systems and door replacements are  
11 needed in order to prevent fraud;
- 12 m. Employees or agents of the DMV should be required to  
13 undergo background checks and fingerprinting;
- 14 n. Cleaning crews and maintenance workers at DMV facilities  
15 must be supervised by DMV employees to ensure the security of  
16 DMV records;
- 17 o. In a time of rapidly changing information technology and  
18 Internet communications, the DMV lacks an information  
19 technology plan to bring it to the 21st Century and still operates on  
20 a decades-old computer network with patchwork hardware,  
21 antiquated software and obsolete display terminals that lack  
22 processing abilities;
- 23 p. Previous DMV efforts to implement complex technological  
24 mandates have failed, due to bureaucratic mismanagement,  
25 inefficient planning and inadequate oversight, as characterized by  
26 reports of the State Commission of Investigation;
- 27 q. The DMV has become a reactive agency, struggling to keep  
28 up with the demands of newly legislated responsibilities, and  
29 without the necessary resources to prevent fraud and corruption at  
30 its front-line agencies and without the ability to provide even  
31 adequate service to its six million customers;
- 32 r. The DMV needs a strategic business plan, which is a key to  
33 the operation of an agency, and must work within the confines of  
34 such plan in an effort to adopt best practices, improve customer  
35 service and gain back the confidence of New Jersey citizens and the  
36 Legislature;
- 37 s. The DMV's privatization of some of its agencies in July  
38 1995 has created poor, disjointed and confused service delivery  
39 without consistency among the agencies in terms of policies and  
40 procedures, which has led to confusion and frustration in the minds  
41 of New Jersey citizens;
- 42 t. The DMV privatization has also resulted in poorly paid  
43 employees who have received inadequate benefits, resulting in a  
44 high turnover rate at DMV agencies;
- 45 u. A major benefit to a State-operated DMV system is the  
46 ability to centralize anti-fraud policies and procedures;

1 v. Historically, the privately-operated local motor vehicle  
2 agencies have been plagued with long lines, poor customer service  
3 and inadequate business practices that have routinely caused  
4 network delays and failures for hours at a time;

5 w. The DMV would be in a better position to plan for long-term  
6 improvements, replacements and daily operations if it had a  
7 dedicated and consistent source of funding;

8 x. In order to address the various problems with the DMV, a  
9 "FIX DMV Commission" was formed on April 25, 2002, by  
10 Governor's Executive Order Number 19 to conduct a comprehensive  
11 review of the DMV and to make recommendations on the  
12 restructuring and reorganization of the agency;

13 y. The "FIX DMV Commission" has reported that the DMV is  
14 in crisis and has recommended that a New Jersey Motor Vehicle  
15 Commission be formed in, but not of, the Department of  
16 Transportation to replace the current New Jersey Division of Motor  
17 Vehicles with the purposes of: (1) identifying and regulating drivers  
18 and motor vehicles to deter unlawful and unsafe acts; (2)  
19 identifying and correcting vehicle defects and limiting the amount  
20 of vehicle-produced air pollution; (3) focusing on and responding to  
21 customer service and security issues; and (4) effectuating change by  
22 bringing greater attention and resources to the needs of the  
23 organization;

24 z. It is therefore in the public interest to create a New Jersey  
25 Motor Vehicle Commission, the duties of which would include, but  
26 not be limited to: (1) addressing the multitude of functions  
27 assigned to it while curtailing fraudulent and criminal activities that  
28 present threats to the State's security system; (2) following a multi-  
29 year strategic business plan that is constantly reviewed and updated,  
30 thus avoiding the need for the cyclical reforms that have  
31 characterized its history; and (3) conducting operations on a fiscal  
32 year budget, controlling fees sufficient to fund the budget, adopting  
33 regulations regarding processes and fees; and implementing an  
34 annual strategic business plan.

35 (cf: P.L.2003, c.13, s.2)

36  
37 18. R.S.39:3-41 is amended to read as follows:

38 39:3-41. a. At the time of the issuance of an examination  
39 permit or a special learner's permit to operate a motor vehicle, the  
40 chief administrator shall make available to each applicant for the  
41 examination permit or special learner's permit a driver's manual  
42 containing information required to be known and followed by  
43 licensed drivers relating to licensing requirements.

44 b. At the time of any required examination for renewal of a  
45 driver's license, the chief administrator shall upon request make  
46 available to each applicant for renewal a copy of the manual and  
47 any supplements thereto.



1 c. The driver's manual and any supplements thereto or any  
2 other booklet or writing prepared in connection with examinations  
3 for drivers' licenses or for renewals of drivers' licenses shall contain  
4 all information necessary to answer any question on an examination  
5 for a driver's license or for a renewal of a driver's license.

6 The chief administrator shall publish the driver's manual on the  
7 website of the commission in English and each of the three  
8 languages, other than English, most commonly spoken in the State,  
9 as determined by the chief administrator. The chief administrator  
10 shall periodically, and at least every five years, verify the three  
11 languages, other than English, most commonly spoken in the State.

12 d. The chief administrator, following consultation with the  
13 organ procurement organizations designated pursuant to 42 U.S.C.  
14 s.1320b-8 to serve in the State of New Jersey, shall include in the  
15 driver's manual information explaining the provisions of the  
16 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77  
17 et al.), the beneficial uses of donated organs and tissues, and the  
18 procedure for indicating on the driver's license the intention to  
19 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-  
20 12.2). The chief administrator may distribute all remaining copies  
21 of the existing driver's manual before reprinting the manual with the  
22 information required pursuant to this subsection.

23 e. The chief administrator, in consultation with the Nikhil  
24 Badlani Foundation, shall include in the driver's manual  
25 information explaining the dangers of failing to comply with this  
26 State's motor vehicle traffic laws and indicating that interested  
27 drivers may take the STOP for Nikhil Safety Pledge set forth in  
28 paragraph (1) of this subsection.

29 (1) The "STOP for Nikhil Safety Pledge" is as follows:

30 "In order to ensure the safety of others on the road, passengers in  
31 my car, and myself as a driver, I pledge to obey traffic laws while  
32 operating a motor vehicle, be extra cautious, and be attentive to  
33 traffic signs and signals and road conditions. Specifically:

34 I will come to a complete stop at every "stop" sign or red traffic  
35 light, and will not proceed through a red traffic light;

36 I will stay alert, keep two hands on the steering wheel whenever  
37 possible, and keep my mind on the road;

38 I will talk safely by using a hands-free wireless telephone while  
39 driving if I am of lawful age to do so and refrain from texting while  
40 driving; and I will plan ahead and leave enough time to arrive at my  
41 destination."

42 (2) The chief administrator shall ensure that drivers have the  
43 option of taking the pledge set forth in paragraph (1) of this  
44 subsection by filling out a standard form made available at motor  
45 vehicle offices or by following instructions publicized by the chief  
46 administrator directing interested drivers to the appropriate website  
47 to complete the pledge.

1 (3) The chief administrator may distribute all remaining copies  
2 of the existing driver's manual before reprinting the manual with the  
3 information required pursuant to this subsection.

4 f. The chief administrator, in consultation with the  
5 Commissioner of Health and the Director of the Division of  
6 Highway Traffic Safety in the Department of Law and Public  
7 Safety, shall include in the driver's manual information explaining  
8 the dangers of carbon monoxide poisoning from motor vehicles and  
9 techniques for the safe operation and proper maintenance of a motor  
10 vehicle. The chief administrator may distribute all remaining  
11 copies of any existing driver's manual before reprinting the manual  
12 with the information required pursuant to this subsection.

13 (cf: P.L.2016, c.81, s.3)

14  
15 19. (New section) The Chief Administrator of the New Jersey  
16 Motor Vehicle Commission, in consultation with the Attorney  
17 General, shall establish a public awareness campaign for the  
18 duration of 24 months following the effective date of  
19 P.L. , c. (C. ) (pending before the Legislature as this bill) to  
20 inform the general public about the availability of and the  
21 requirements to obtain a standard and REAL ID basic driver's  
22 license, motorcycle license, probationary license, and identification  
23 card.

24  
25 20. (New section) a. There is created an advisory board to be  
26 known as the "Standard and REAL ID Driver License and  
27 Identification Card Advisory Board."

28 b. The purpose of the advisory board shall be to review the  
29 implementation of the provisions of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill) by the New Jersey Motor Vehicle  
31 Commission and the issuance of standard and REAL ID basic  
32 driver's licenses, motorcycle licenses, probationary licenses, and  
33 identification cards by the commission. The advisory board shall  
34 provide guidance to the commission concerning public awareness  
35 and education of the differences between standard and REAL ID  
36 basic driver's licenses, motorcycle licenses, probationary licenses,  
37 and identification cards and how to obtain standard and REAL ID  
38 basic driver's licenses, motorcycle licenses, probationary licenses,  
39 and identification cards.

40 c. The advisory board shall consist of 11 members as follows:

41 (1) the Chief Administrator of the New Jersey Motor Vehicle  
42 Commission, or the chief administrator's designee, who shall serve  
43 ex officio;

44 (2) the Governor's Chief Counsel, or the chief counsel's  
45 designee, who shall serve ex officio; and

46 (3) nine public members as follows:

47 (a) three members appointed by the Governor;

1 (b) three members appointed by the Governor upon the  
2 recommendation of the President of the Senate; and

3 (c) three members appointed by the Governor upon the  
4 recommendation of the Speaker of the General Assembly.

5 d. A vacancy in the membership of the advisory board shall be  
6 filled in the same manner provided for the original appointment.

7 e. The advisory board shall organize as soon as practicable  
8 following the appointment of its members, and shall select a  
9 chairperson and vice-chairperson from among its members.

10 f. The public members of the advisory board shall serve  
11 without compensation, but may be reimbursed for necessary  
12 expenses incurred in the performance of their duties to the extent  
13 that such funds are made available for that purpose.

14 g. The New Jersey Motor Vehicle Commission shall provide  
15 staff support to the advisory board as may be necessary for its  
16 purposes. The advisory board shall be entitled to call to its  
17 assistance and avail itself of the services of the employees of any  
18 State, county, or municipal department, board, bureau, commission,  
19 or agency, as it may require and as may be available for its  
20 purposes.

21 h. No later than 12 months after the effective date of  
22 P.L. , c. (C. ) (pending before the Legislature as this bill),  
23 the advisory board shall report to the Governor, and to the  
24 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
25 its findings and recommendations. The advisory board shall  
26 terminate upon submission of the report.

27  
28 21. This act shall take effect on the first day of the thirteenth  
29 month after enactment, except that the Chief Administrator of the  
30 New Jersey Motor Vehicle Commission may take any anticipatory  
31 administrative action in advance as shall be necessary for the  
32 implementation of this act. Section 20 of this act shall expire upon  
33 submission of the advisory board's report required to be prepared  
34 and submitted pursuant to subsection h. of section 20 of this act.

35

36

37

STATEMENT

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39 This bill creates two categories of basic driver's licenses,  
40 motorcycle licenses, probationary licenses, and non-driver  
41 identification cards (hereinafter referred to collectively as licenses  
42 and identification cards).

43 Under the bill, a person may apply for a standard license or  
44 identification card or a REAL ID license or identification card. A  
45 REAL ID license or identification card is to comply with the  
46 provisions of the federal "REAL ID Act of 2005," any amendatory  
47 or supplementary acts, and any federal regulations adopted

1 thereunder. Under the bill, the fee for a REAL ID license or  
2 identification card is greater than the fee for a standard license or  
3 identification card.

4 The bill allows a New Jersey resident who meets requirements  
5 for the issuance of a license or identification, but who is unable to  
6 prove lawful presence in the United States to receive a standard  
7 license or identification card if the person provides satisfactory  
8 proof of identity and age, two documents providing proof of New  
9 Jersey residency, and proof of the person's social security number.  
10 If the person applying for a standard license or identification card  
11 does not have a social security number, the person is required to  
12 indicate, in a manner prescribed by the New Jersey Motor Vehicle  
13 Commission (MVC), that the person is not eligible to receive a  
14 social security number.

15 In addition to requiring an applicant to submit satisfactory proof  
16 of identity and age, an applicant for a REAL ID license or  
17 identification card is required to submit two documents providing  
18 satisfactory proof of New Jersey residency, proof of the applicant's  
19 social security number or verification of ineligibility for a social  
20 security number in accordance with the "REAL ID Act of 2005,"  
21 and proof that the applicant's presence in the United States is  
22 authorized under federal law.

23 The bill requires a standard license or identification card to  
24 indicate that the license or identification card is not to be accepted  
25 as identification for an official federal purpose and is to bear a  
26 unique design or color to indicate that the license or identification  
27 card is not to be accepted for an official federal purpose. An official  
28 federal purpose includes but is not limited to accessing federal  
29 facilities, boarding federally regulated commercial aircraft, and  
30 entering nuclear power plants.

31 The bill removes the requirement that an applicant for an  
32 examination permit or special learner's permit provide proof of  
33 lawful presence in the country and, instead, requires an applicant  
34 for an examination permit or special learner's permit to provide two  
35 documents providing satisfactory proof of residency in New Jersey.  
36 However, an applicant for a commercial driver license permit is  
37 required to submit satisfactory proof that the applicant's presence in  
38 the United States is authorized under federal law and proof of the  
39 applicant's social security number.

40 Under the bill, any documents and personal information obtained  
41 by the MVC from an applicant for a standard license or  
42 identification card is confidential, is not to be considered a  
43 government record, and is not to be disclosed by the MVC for the  
44 purpose of investigation, arrest, citation, prosecution, or detention  
45 related to an applicant's citizenship or immigration status without  
46 the consent of the applicant or without a court order or subpoena.  
47 However, the MVC is not to be restricted, prohibited, or prevented

1 from maintaining, or sending to or receiving from federal  
2 immigration authorities information regarding citizenship or  
3 immigration status, lawful or unlawful, of any individual pursuant  
4 to certain provisions of federal law. A person that knowingly  
5 discloses any documents or personal information that violates this  
6 provision is guilty of a crime of the fourth degree. A crime of the  
7 fourth degree is punishable by up to 18 months imprisonment and a  
8 maximum fine of \$10,000.

9 The bill provides that possession of a standard license or  
10 identification card is not to be considered evidence of an  
11 individual's citizenship or immigration status and is not to be used  
12 as a basis for an investigation, arrest, citation, prosecution, or  
13 detention.

14 Under the bill, the chief administrator may waive the fee  
15 imposed for a duplicate license and identification card if the  
16 applicant, at the time of application: (1) is applying for a REAL ID  
17 license or REAL ID identification card; (2) currently holds a valid  
18 license to operate a motor vehicle or identification card issued by  
19 the MVC; and (3) is not eligible to renew the applicant's current  
20 license or identification card. The chief administrator's authority to  
21 waive the duplicate fee expires on October 1, 2020. An applicant  
22 for a REAL ID license or REAL ID identification card is required to  
23 surrender to the MVC the applicant's current license or  
24 identification card.

25 The bill provides that the holder of a standard license or  
26 identification card is to have the opportunity to obtain employment,  
27 accommodation, publicly assisted housing accommodation in which  
28 the person meets all qualifications for receipt of the publicly  
29 assisted housing accommodation under State or federal law, and  
30 other real property without discrimination by reason of holding or  
31 presenting a standard license or identification card. However, this  
32 provision does not alter an employer's rights and obligations to  
33 obtain documentation evidencing identity and authorization for  
34 employment in accordance with certain provisions of federal law  
35 and an action taken by an employer that is required by a certain  
36 provision of federal law does not constitute a violation of this  
37 nondiscrimination provision.

38 Under the bill, no insurance underwriting rule is to operate in a  
39 way that assigns risk to a rating plan on the basis of the insured  
40 holding a standard license.

41 The bill provides that an application for a driver's license or a  
42 renewal of a driver's license is to contain the street address of the  
43 applicant's residence at the time of application or renewal and is no  
44 longer permitted to contain the applicant's business address.

45 The bill permits the MVC to increase certain driver's license and  
46 endorsement fees by regulation including fees for issuance of a  
47 standard motorcycle license or endorsement, REAL ID motorcycle

1 license, omnibus or school bus endorsement, standard basic driver's  
2 license, or REAL ID basic driver's license.

3 The bill also requires that the written knowledge examination for  
4 a basic driver's license or validated permit be made available in  
5 English and each of the three languages most commonly spoken in  
6 New Jersey, other than English. The bill also requires the Chief  
7 Administrator of the MVC to publish the driver's manual on the  
8 MVC's website in English and each of the three languages, other  
9 than English, most commonly spoken in New Jersey. The chief  
10 administrator is required to periodically, but at least every five  
11 years, verify the three languages, other than English, most  
12 commonly spoken in New Jersey.

13 The bill requires the Chief Administrator of the MVC to  
14 establish a 24 month public awareness campaign to inform the  
15 public about the availability of and the requirements to obtain a  
16 standard and REAL ID license or identification card.

17 The bill creates the "Standard and REAL ID Driver License and  
18 Identification Card Advisory Board" to review the MVC's  
19 implementation of the provisions of the bill and the issuance of  
20 standard and REAL ID licenses and identification cards. The  
21 advisory board is also to provide guidance to the MVC concerning  
22 public awareness and education of the differences between the  
23 standard and REAL ID licenses and identification cards and how to  
24 obtain standard and REAL ID licenses and identification cards. The  
25 advisory board is required to report to the Governor and Legislature  
26 its findings and recommendations no later than 12 months following  
27 the effective date of the bill. The advisory board terminates upon  
28 the submission of the report.

29 It is the sponsor's intent to improve roadway safety and  
30 Statewide automobile insurance coverage by making driver's  
31 licenses and permits available to any safe driver who meets all of  
32 the requirements relating to the driver's ability to safely operate a  
33 motor vehicle pursuant to State statute and regulations, and who  
34 provides proof of identity, qualifying age, and New Jersey  
35 residency in accordance with the terms of the bill.