

ASSEMBLY, No. 4743

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

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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.

(Sponsorship Updated As Of: 12/6/2019)

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 [picture] <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

38
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.