

ASSEMBLY, No. 5251

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED MAY 13, 2019

Sponsored by:
Assemblyman JOE HOWARTH
District 8 (Atlantic, Burlington and Camden)

SYNOPSIS

Specifies that driver's license or permit application is to include proof of US citizenship, permanent residence, or other proof of lawful presence in US.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning motor vehicle driver's license and permit
2 application documentation and amending various parts of the
3 statutory law.

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

7
8 1. R.S.39:3-10 is amended to read as follows:

9 39:3-10. A person shall not drive a motor vehicle on a public
10 highway in this State unless the person is under supervision while
11 participating in a behind-the-wheel driving course pursuant to
12 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
13 validated permit, or a probationary or basic driver's license issued to
14 that person in accordance with this article.

15 A person under 18 years of age shall not be issued a basic license
16 to drive motor vehicles, and a person shall not be issued a validated
17 permit, including a validated examination permit, until the applicant
18 has passed a satisfactory examination and other requirements as to
19 the applicant's ability as an operator. The examination shall
20 include: a test of the applicant's vision; the applicant's ability to
21 understand traffic control devices; the applicant's knowledge of safe
22 driving practices, including the dangers of driving a vehicle in an
23 aggressive manner, which shall include, but not be limited to,
24 unexpectedly altering the speed of a vehicle, making improper or
25 erratic traffic lane changes, disregarding traffic control devices,
26 failing to yield the right of way, and following another vehicle too
27 closely; the applicant's knowledge of operating a motor vehicle in a
28 manner that safely shares the roadway with pedestrians, cyclists,
29 skaters, riders of motorized-scooters, and other non-motorized
30 vehicles, which shall include, but not be limited to, passing a cyclist
31 on the roadway, recognizing bicycle lanes, navigating intersections
32 with pedestrians and cyclists, and exiting a vehicle without
33 endangering pedestrians and cyclists; the applicant's knowledge of
34 the effects that ingestion of alcohol or drugs has on a person's
35 ability to operate a motor vehicle; the applicant's knowledge of the
36 dangers of carbon monoxide poisoning from motor vehicles and
37 techniques for the safe operation and proper maintenance of a motor
38 vehicle; the applicant's knowledge of portions of the mechanism of
39 motor vehicles as is necessary to insure the safe operation of a
40 vehicle of the kind or kinds indicated by the applicant; and the
41 applicant's knowledge of the laws and ordinary usages of the road.

42 A person shall not sit for an examination for any permit without
43 exhibiting photo identification deemed acceptable by the
44 commission, unless that person is a high school student
45 participating in a course of automobile driving education approved

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 by the State Department of Education and conducted in a public,
2 parochial, or private school of this State, pursuant to section 1 of
3 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
4 written law knowledge examination for any person 18 years of age
5 or older possessing a valid driver's license issued by any other state,
6 the District of Columbia, or the United States Territories of
7 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
8 commission shall be required to provide that person with a booklet
9 that highlights those motor vehicle laws unique to New Jersey. A
10 road test shall be required for a probationary license and serve as a
11 demonstration of the applicant's ability to operate a vehicle of the
12 class designated. During the road test, an applicant may use a rear
13 visibility system, parking sensors, or other technology installed on
14 the motor vehicle that enables the applicant to view areas directly
15 behind the vehicle or alerts the applicant of obstacles while parking.

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

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

1 motorcycle license or endorsement without restriction as to engine
2 displacement.

3 The commission shall issue a basic driver's license to operate a
4 motor vehicle other than a motorcycle to a person over 18 years of
5 age who previously has not been licensed to drive a motor vehicle
6 in this State or another jurisdiction only if that person has: (1)
7 operated a passenger automobile in compliance with the
8 requirements of this Title for not less than one year, not including
9 any period of suspension or postponement, from the date of
10 issuance of a probationary license pursuant to section 4 of
11 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
12 motor vehicle points; (3) not been convicted in the previous year for
13 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
14 50.4a), section 1 of P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129,
15 N.J.S.2C:11-5, section 1 of P.L.2017, c.165 (C.2C:11-5.3),
16 subsection c. of N.J.S.2C:12-1, or any other motor vehicle-related
17 violation the commission determines to be significant and
18 applicable pursuant to regulation; and (4) passed an examination of
19 the applicant's ability to operate a motor vehicle pursuant to this
20 section.

21 The commission shall expand the driver's license examination by
22 20 percent. The additional questions to be added shall consist solely
23 of questions developed in conjunction with the Department of
24 Health concerning the use of alcohol or drugs as related to highway
25 safety. The commission shall develop, in conjunction with the
26 Department of Health, supplements to the driver's manual which
27 shall include information necessary to answer any question on the
28 driver's license examination concerning alcohol or drugs as related
29 to highway safety.

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

46 The commission shall expand the driver's license examination to
47 include a question asking whether the applicant is aware of the
48 provisions of the "Revised Uniform Anatomical Gift Act,"

1 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on
2 the driver's license the intention to make a donation of body organs
3 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

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

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

13 Any person applying for a driver's license to operate a motor
14 vehicle or motorized bicycle in this State shall surrender to the
15 commission any current driver's license issued to the applicant by
16 another state or jurisdiction upon the applicant's receipt of a driver's
17 license for this State. The commission shall refuse to issue a
18 driver's license if the applicant fails to comply with this provision.
19 An applicant for a permit or license who is less than 18 years of
20 age, and who holds a permit or license for a passenger automobile
21 issued by another state or country that is valid or has expired within
22 a time period designated by the commission, shall be subject to the
23 permit and license requirements and penalties applicable to State
24 permit and license applicants who are of the same age; except that if
25 the other state or country has permit or license standards
26 substantially similar to those of this State, the credentials of the
27 other state or country shall be acceptable.

28 The commission shall create classified licensing of drivers
29 covering the following classifications:

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

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

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

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

45 Every applicant for a license under classification b. shall be a
46 holder of a basic driver's license. Any issuance of a license under
47 classification b. shall be by endorsement on the basic driver's
48 license.

1 A driver's license for motorcycles may be issued separately, but
2 if issued to the holder of a basic driver's license, it shall be by
3 endorsement on the basic driver's license. The holder of a basic
4 driver's license or a separately issued motorcycle license shall be
5 authorized to operate a motorcycle having a motor with a maximum
6 piston displacement that is less than 50 cubic centimeters or a motor
7 that is rated at no more than 1.5 brake horsepower with a maximum
8 speed no more than 35 miles per hour on a flat surface.

9 The commission, upon payment of the lawful fee and after it or a
10 person authorized by it has examined the applicant and is satisfied
11 of the applicant's ability as an operator, may, in its discretion, issue
12 a license to the applicant to drive a motor vehicle. The license shall
13 authorize the person to drive any registered vehicle, of the kind or
14 kinds indicated.

15 The license shall expire, except as otherwise provided, during the
16 fourth calendar year following the date in which the license was
17 issued and on the same calendar day as the person's date of birth. If
18 the person's date of birth does not correspond to a calendar day of
19 the fourth calendar year, the license shall expire on the last day of
20 the person's birth month.

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

34 The required fee for a license for the license period shall be as
35 follows:

36 Motorcycle license or endorsement: \$18.

37 Omnibus or school bus endorsement: \$18.

38 Basic driver's license: \$18.

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

45 The commission shall issue licenses for the following license
46 period on and after the first day of the calendar month immediately
47 preceding the commencement of the period, the licenses to be
48 effective immediately.

1 All applications for renewals of licenses shall be made in a
2 manner prescribed by the commission and in accordance with
3 procedures established by it.

4 The commission in its discretion may refuse to grant a permit or
5 license to drive motor vehicles to a person who is, in its estimation,
6 not a proper person to be granted a permit or license, but a defect of
7 the applicant shall not debar the applicant from receiving a permit
8 or license unless it can be shown by tests approved by the
9 commission that the defect incapacitates the applicant from safely
10 operating a motor vehicle.

11 In addition to requiring an applicant for a driver's license to
12 submit satisfactory proof of identity and age, the commission also
13 shall require the applicant to provide, as a condition for obtaining a
14 permit and license, satisfactory proof that the applicant is a citizen
15 of the United States whether by birth or naturalization or is a lawful
16 permanent resident of the United States under federal law, or the
17 applicant's presence in the United States is otherwise authorized
18 under federal law.

19 If the commission has reasonable cause to suspect that any
20 document presented by an applicant as proof of identity, age, or
21 legal residency is altered, false, or otherwise invalid, the
22 commission shall refuse to grant the permit or license until the time
23 when the document may be verified by the issuing agency to the
24 commission's satisfaction.

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

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

39 As used in this section:

40 "Parking sensors" means proximity sensors which use either
41 electromagnetic or ultrasonic technology and are designed to alert
42 the driver to obstacles while parking.

43 "Rear visibility system" means devices or components installed
44 on a motor vehicle at the time of manufacture that allow a forward
45 facing driver to view a visual image of the area directly behind the
46 vehicle.

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

1 2. R.S.39:3-13 is amended to read as follows:

2 39:3-13. The chief administrator may, in the chief administrator's
3 discretion, issue to a person over 17 years of age an examination
4 permit, under the hand and seal of the chief administrator, allowing
5 such person, for the purpose of fitting the person to become a
6 licensed driver, to operate a designated class of motor vehicles
7 other than passenger automobiles and motorcycles for a specified
8 period of not more than 90 days, while in the company and under
9 the supervision of a driver licensed to operate such designated class
10 of motor vehicles.

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

23 For six months immediately following the validation of an
24 examination permit, and until the holder passes the road test, the
25 holder who is less than 21 years of age shall operate the passenger
26 automobile only when accompanied by, and under the supervision
27 of, a New Jersey licensed driver who is at least 21 years of age and
28 has been licensed to drive a passenger automobile for not less than
29 three years. The holder of an examination permit who is at least 21
30 years of age shall operate the passenger automobile for the first
31 three months under such supervision and until the holder passes the
32 road test. The supervising driver of the passenger automobile shall
33 sit in the front seat of the vehicle. Whenever operating a vehicle
34 while in possession of an examination permit, the holder of the
35 permit shall operate the passenger automobile with only one
36 additional passenger in the vehicle excluding dependents of the
37 permit holder, except that this passenger restriction shall not apply
38 when the permit holder is at least 21 years of age or when the
39 permit holder is accompanied by a parent or guardian. Further, the
40 holder of the passenger automobile permit who is less than 21 years
41 of age shall not drive during the hours between 11:01 p.m. and **[5]**
42 5:00 a.m.; provided, however, that this condition may be waived for
43 an emergency which, in the judgment of local police, is of sufficient
44 severity and magnitude to substantially endanger the health, safety,
45 welfare, or property of a person, or for any bona fide employment
46 or religion-related activity if the employer or appropriate religious
47 authority provides written verification of such activity in a manner
48 provided for by the chief administrator. The holder of the

1 examination permit shall not use any hand-held or hands-free
2 interactive wireless communication device, except in an emergency,
3 while operating a moving passenger automobile on a public road or
4 highway. "Use" shall include, but not be limited to, talking or
5 listening on any hand-held or hands-free interactive wireless
6 communication device or operating its keys, buttons, or other
7 controls. The passenger automobile permit holder shall ensure that
8 all occupants of the vehicle are secured in a properly adjusted and
9 fastened seat belt or child restraint system.

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

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

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

34 The chief administrator shall provide the holder of an
35 examination permit with two removable, transferable, highly
36 visible, reflective decals indicating that the driver of the vehicle
37 may be the holder of an examination permit. The decals shall be
38 designed by the chief administrator, in consultation with the
39 Division of Highway Traffic Safety in the Department of Law and
40 Public Safety. The chief administrator may charge a fee for the
41 decals not to exceed the actual cost of producing and distributing
42 the decals. The decals shall be displayed in a manner prescribed by
43 the chief administrator, in consultation with the Division of
44 Highway Traffic Safety in the Department of Law and Public
45 Safety, and shall be clearly visible to law enforcement officers. The
46 holder of an examination permit shall not operate a vehicle unless
47 the decals are displayed. The decal shall be removed once the
48 driver's examination permit period has ended.

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

39 An examination permit for a motorcycle or a commercial motor
40 vehicle issued to a person with a disability, as determined by the
41 New Jersey Motor Vehicle Commission after consultation with the
42 Department of Education, shall be valid for nine months or until the
43 completion of the road test portion of the license examination,
44 whichever period is shorter.

45 Each permit shall be sufficient license for the person to operate
46 such designated class of motor vehicles in this State during the
47 period specified, while in the company of and under the control of a
48 driver licensed by this State to operate such designated class of

1 motor vehicles, or, in the case of a commercial driver license
2 permit, while in the company of and under the control of a holder of
3 a valid commercial driver license for the appropriate license class
4 and with the appropriate endorsements issued by this or any other
5 state. Such person, as well as the licensed driver, except for a
6 motor vehicle examiner administering a driving skills test, shall be
7 held accountable for all violations of this subtitle committed by
8 such person while in the presence of the licensed driver. In addition
9 to requiring an applicant for an examination permit to submit
10 satisfactory proof of identity and age, the chief administrator also
11 shall require the applicant to provide, as a condition for obtaining
12 the permit, satisfactory proof that the applicant is a citizen of the
13 United States whether by birth or naturalization or is a lawful
14 permanent resident of the United States under federal law, or the
15 applicant's presence in the United States is otherwise authorized
16 under federal law. If the chief administrator has reasonable cause to
17 suspect that any document presented by an applicant as proof of
18 identity, age, or legal residency is altered, false, or otherwise
19 invalid, the chief administrator shall refuse to grant the permit until
20 such time as the document may be verified by the issuing agency to
21 the chief administrator's satisfaction.

22 The holder of an examination permit shall be required to take a
23 road test in order to obtain a probationary license. No road test for
24 any person who has been issued an examination permit to operate a
25 passenger vehicle shall be given unless the person has met the
26 requirements of this section. No road test for a probationary license
27 shall be given unless the applicant has first secured an examination
28 permit and no such road test shall be scheduled for an applicant
29 who has secured an examination permit for a passenger vehicle or a
30 motorcycle for which an endorsement is not required until at least
31 six months for an applicant under 21 years of age or three months
32 for an applicant 21 years of age or older shall have elapsed
33 following the validation of the examination permit for practice
34 driving or, in the case of an examination permit for other vehicles,
35 until 20 days have elapsed. In the case of an omnibus endorsement
36 or school bus, no road test shall be scheduled until at least 10 days
37 shall have elapsed. Every applicant for an examination permit to
38 qualify for an omnibus endorsement or an articulated vehicle
39 endorsement shall be a holder of a valid basic driver's license.

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

42 Basic driver's license.....up to \$10
43 Motorcycle license or endorsement.....\$ 5
44 Omnibus or school bus endorsement.....\$25

45 The chief administrator shall waive the payment of fees for
46 issuance of examination permits for omnibus endorsements
47 whenever the applicant establishes to the chief administrator's
48 satisfaction that said applicant will use the omnibus endorsement

1 exclusively for operating omnibuses owned by a nonprofit
2 organization duly incorporated under Title 15 or 16 of the Revised
3 Statutes or Title 15A of the New Jersey Statutes.

4 The specified period for which a permit is issued may be
5 extended for not more than an additional 60 days, without payment
6 of an added fee, upon application made by the holder thereof, where
7 the holder has applied to take the examination for a driver's license
8 prior to the expiration of the original period for which the permit
9 was issued and the chief administrator was unable to schedule an
10 examination during said period.

11 As a condition for the issuance of an examination permit under
12 this section, the chief administrator shall secure a digitized picture
13 of the applicant. The picture shall be stored in a manner prescribed
14 by the chief administrator and may be displayed on the examination
15 permit.

16 The chief administrator may require that whenever a person to
17 whom an examination permit has been issued has reconstructive or
18 cosmetic surgery which significantly alters the person's facial
19 features, the person shall notify the chief administrator who may
20 require the picture of the person to be updated.

21 Specific use of the examination permit and any information
22 stored or encoded, electronically or otherwise, in relation thereto
23 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and
24 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-
25 322. Notwithstanding the provisions of any other law to the
26 contrary, the digitized picture or any access thereto or any use
27 thereof shall not be sold, leased, or exchanged for value.

28 (cf: P.L.2017, c.165, s.11)
29

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

32 1. The Chief Administrator of the New Jersey Motor Vehicle
33 Commission may issue to a person over 16 years of age a special
34 learner's permit, under the hand and seal of the chief administrator,
35 allowing such person, for the purpose of preparing himself to
36 qualify for a probationary license for a passenger automobile by
37 operating a dual pedal controlled motor vehicle while taking a
38 required course of behind-the-wheel automobile driving education
39 approved by the State Department of Education and conducted in a
40 public, parochial or private school of this State or a course of
41 behind-the-wheel automobile driving instruction conducted by a
42 drivers' school duly licensed pursuant to the provisions of P.L.1951,
43 c.216 (C.39:12-1 et seq.). The special learner's permit shall be
44 issued in lieu of the examination permit provided for in R.S.39:3-
45 13. In addition to requiring an applicant for a permit to submit
46 satisfactory proof of identity and age, the chief administrator also
47 shall require the applicant to provide, as a condition for obtaining a
48 permit, satisfactory proof that the applicant is a citizen of the

1 United States whether by birth or naturalization or is a lawful
2 permanent resident of the United States under federal law, or the
3 applicant's presence in the United States is otherwise authorized
4 under federal law. If the chief administrator has reasonable cause to
5 suspect that any document presented by an applicant as proof of
6 identity, age or legal residency is altered, false or otherwise invalid,
7 the chief administrator shall refuse to grant the permit until such
8 time as the document may be verified by the issuing agency to the
9 chief administrator's satisfaction.

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

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

19
20 4. This act shall take effect immediately.

21 22 23 STATEMENT

24
25 This bill specifies that, in order to show proof of lawful presence
26 in the United States as required by current law, an applicant for a
27 driver's license or permit is to provide, as a condition for obtaining
28 a permit or license, satisfactory proof that the applicant is a citizen
29 of the United States whether by birth or naturalization, is a lawful
30 permanent resident of the United States under federal law, or is
31 otherwise lawfully present in the United States under federal law.