

§1 – Note to §4 &  
C.39:2-3.2  
§4 - C.19:31-6.14  
§5 - Note

P.L. 2018, CHAPTER 6, *approved April 17, 2018*  
Assembly Committee Substitute for  
Assembly, No. 2014

1 AN ACT concerning voter registration and amending and  
2 supplementing P.L.1994, c.182 and supplementing Title 19 of  
3 the Revised Statutes.

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

7  
8 1. (New section) The Legislature finds and declares that:

9 a. The right to vote is a fundamental right in New Jersey and  
10 for all citizens of the United States.

11 b. It is the responsibility of the State of New Jersey to:

12 (1) ensure that every eligible State resident has the opportunity  
13 to register to vote;

14 (2) promote policies that will grow voter registration rates and  
15 voter turnout;

16 (3) guarantee that State voter registration systems are secure and  
17 maintained with accuracy and efficiency and with the best available  
18 technologies and procedures; and

19 (4) safeguard New Jersey's voters from disenfranchisement on  
20 Election Day due to outdated or inaccurate voter roll information.

21 c. In other states, automatic voter registration at state agencies  
22 has made state voter rolls more accurate while increasing voter  
23 registration rates and may have contributed to increased voter  
24 turnout, especially among populations that are less likely to  
25 participate in elections.

26 d. It is, therefore, the purpose of this act, P.L. , c. (pending  
27 before the Legislature as this bill), to:

28 (1) enable the New Jersey Motor Vehicle Commission and the  
29 Secretary of State to provide the opportunity to register all eligible  
30 State residents to vote with accurate, cost-efficient, and up-to-date  
31 procedures;

32 (2) modernize New Jersey's voter registration and voter list  
33 maintenance procedures; and

34 (3) protect and enhance the integrity, accuracy, efficiency, and  
35 accessibility of the electoral process for all eligible State residents.

**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       2. Section 23 of P.L.1994, c.182 (C.39:3-10m) is amended to  
2 read as follows:

3       23. Notwithstanding any law, rule or regulation to the contrary,  
4 each applicant, who meets all requirements for eligibility to vote,  
5 for a State motor vehicle driver's license, an examination permit, a  
6 probationary driver's license, or a non-driver identification card  
7 application, including any application for a renewal or update  
8 thereof, except as provided in paragraphs (2) and (3) of subsection  
9 b. of section 24 of P.L.1994, c.182 (C.39:2-3.2), submitted to an  
10 agent of the **【Division of Motor Vehicles in the Department of Law**  
11 **and Public Safety】** New Jersey Motor Vehicle Commission shall be  
12 offered an opportunity to **【register to vote】** decline the automatic  
13 voter registration pursuant to section 24 of P.L.1994, c.182 (C.39:2-  
14 3.2).

15 (cf: P.L.1994, c.182, s.23)

16

17       3. Section 24 of P.L.1994, c.182 (C.39:2-3.2) is amended to  
18 read as follows:

19       24. a. The Secretary of State, with the assistance **【and**  
20 **concurrence of the Director of the Division of Motor Vehicles】** of  
21 the Chief Administrator of the New Jersey Motor Vehicle  
22 Commission, shall 【formulate a means of permitting a person】  
23 provide for an eligible applicant to simultaneously apply for a  
24 motor vehicle driver's license, an examination permit, a  
25 probationary driver's license, or a non-driver identification card, as  
26 applicable, and 【to register】 be automatically registered to vote, or  
27 have an existing voter registration updated, in a manner which  
28 satisfies both the requirements necessary to receive a license to  
29 operate a motor vehicle, pursuant to R.S.39:3-10, or an examination  
30 permit, a probationary driver's license, or a non-driver  
31 identification card, as applicable, and 【to be permitted】 to register  
32 to vote, pursuant to R.S.19:4-1. The applicant shall be offered an  
33 opportunity to decline the automatic voter registration under this  
34 section.

35       **【The Division of Motor Vehicles, upon receipt of a completed**  
36 **voter registration application under this section, shall stamp or**  
37 **otherwise mark the lower right hand corner of the document with**  
38 **the date on which it was so received and forward the document to**  
39 **the Secretary of State no later than the 10th day following the date**  
40 **of acceptance.】**

41       b. **【Each application for voter registration which is received by**  
42 **the Division of Motor Vehicles shall be considered and processed as**  
43 **the replacement for any pre-existing voter registration of the**  
44 **applicant】** (1) Pursuant to subsection a. of this section, for every  
45 application for a motor vehicle driver's license, an examination  
46 permit, a probationary driver's license, or a non-driver

1 identification card, and each related update, renewal, or change of  
2 address, except as provided in paragraphs (2) and (3) of this  
3 subsection, the Chief Administrator shall ensure that the  
4 information necessary for voter registration is collected from the  
5 application and promptly transmitted electronically to the Secretary  
6 of State. The Chief Administrator shall ensure that electronic  
7 records are not transmitted to the Secretary of State for any  
8 applicant who has declined registration. The Commissioner of  
9 Registration shall register to vote or update an existing registration  
10 for any eligible applicant who has not declined voter registration.

11 (2) Voter registration information from an application received  
12 online for the renewal of a motor vehicle driver's license or non-  
13 driver identification card shall be collected and promptly  
14 transmitted electronically to the Secretary of State upon the  
15 implementation by the Secretary of State of online voter  
16 registration. Subsection c. of this section shall be inapplicable to  
17 such applications until that time.

18 (3) Voter registration information from an application received  
19 through the mail for the renewal of a motor vehicle driver's license  
20 or non-driver identification card shall be exempt from collection  
21 and electronic transmission to the Secretary of State until such time  
22 as the Chief Administrator determines that the prompt electronic  
23 transmission of the information is practicable. Subsection c. of this  
24 section shall be inapplicable to such applications until that time.  
25 Following the effective date of P.L. , c. (pending before the  
26 Legislature as this bill), the Chief Administrator shall inform the  
27 Governor and the Legislature every six months of the practicability  
28 of collecting and transmitting to the Secretary of State voter  
29 registration information from such applications. This paragraph  
30 shall not be construed to preclude the Motor Vehicle Commission  
31 from processing voter registration applications received in the  
32 manner in which such applications were processed in connection  
33 with such renewals prior to the effective date of  
34 P.L. , c. (pending before the Legislature as this bill).

35 c. The Chief Administrator shall provide for the following  
36 notices to be provided with every application for a motor vehicle  
37 driver's license, an examination permit, a probationary driver's  
38 license, or a non-driver identification card and every related update,  
39 renewal, or change of address:

40 (1) a notice that the applicant will be registered to vote, if  
41 eligible, unless the applicant specifically declines the automatic  
42 voter registration;

43 (2) a notice of the voter eligibility requirements under R.S.19:4-  
44 1 and the penalties for false registration and illegal voting under  
45 Title 19 of the Revised Statutes, which notice shall contain an  
46 affirmation that the applicant meets each such requirement and shall  
47 require the signature of the applicant, under penalty of law; and

1       (3) a notice that an applicant who is a victim of domestic  
2 violence or stalking may decline the automatic voter registration  
3 and register to vote without disclosing the applicant's street address  
4 pursuant to section 1 of P.L.1994, c.148 (C.19:31-3.2).

5       【c. Each change of address notification submitted to the  
6 Director of the Division of Motor Vehicles】 d. For each applicant  
7 already registered to vote, any change of address notification  
8 submitted to the Chief Administrator for the purpose of maintaining  
9 current information on 【a person's motor vehicle license】 an  
10 applicant shall be promptly reported to the Secretary of State . A  
11 change of address notification received by the Chief Administrator  
12 in paper format shall be reported to the Secretary of State no later  
13 than the 10th day following its receipt by the 【Division of Motor  
14 Vehicles and shall serve as notification for the change of address  
15 process,】 Chief Administrator. The Commissioner of Registration  
16 shall use the change of address notification to update an existing  
17 voter registration unless the 【registrant】 applicant declines the  
18 automatic voter registration pursuant to this section and indicates  
19 that the change of address is not for voter registration purposes. A  
20 change of address notification submitted to the commission, which  
21 is used for voter registration purposes, shall be subject to the  
22 provisions of section 1 of P.L.1994, c.148 (C.19:31-3.2) if the  
23 person submitting the change of address notification previously  
24 registered to vote in accordance with that section.

25       e. If a person who is not entitled to vote becomes registered to  
26 vote pursuant to this section, that person's registration shall be  
27 presumed to have been effected with official authorization, and the  
28 person shall not be deemed to have committed a crime under  
29 R.S.19:34-1. This subsection shall not apply to a person who  
30 knowingly and willfully makes a false statement to effectuate voter  
31 registration.

32       f. The Secretary of State, with the assistance of the Chief  
33 Administrator, shall take appropriate measures to educate the public  
34 about voter registration under this section.

35       For the purposes of this section, "eligible applicant" means a  
36 person submitting to the commission an application for a motor  
37 vehicle driver's license, an examination permit, a probationary  
38 driver's license, or a non-driver identification card who meets all  
39 requirements for eligibility to vote under R.S.19:4-1.

40 (cf: P.L.1994, c.182, s.24)

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42       4. (New section) a. Any State agency, except for the Motor  
43 Vehicle Commission, that the Secretary of State verifies already  
44 collects documents that would provide proof of eligibility,  
45 including age, citizenship, and residence address, may establish and  
46 implement, upon approval by the Secretary of State, a procedure for

1 automatically and electronically transmitting voter registration  
2 information to the Secretary of State of persons who are eligible to  
3 vote for the purpose of registering such persons to vote or updating  
4 their voter registration. Each person from whom such information is  
5 collected shall be offered an opportunity to decline automatic voter  
6 registration. Any such agency shall comply with the requirements,  
7 to the extent applicable as determined by the Secretary of State, as  
8 established in subsections b. through d. of section 24 of P.L.1994,  
9 c.182 (C.39:2-3.2).

10 b. Any additional agencies that are designated for automatic  
11 voter registration shall comply with the requirements, to the extent  
12 applicable as determined by the Secretary of State, as established in  
13 section 24 of P.L.1994, c.182 (C.39:2-3.2) for automatic voter  
14 registration and shall provide the notices required pursuant to  
15 subsection c. thereof to each person from whom such information is  
16 collected.

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18 5. This act shall take effect on the first day of the seventh  
19 month next following the date of enactment, but the Chief  
20 Administrator may take such anticipatory administrative action in  
21 advance thereof as shall be necessary for the implementation of this  
22 act.

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27 Automatically registers to vote and updates voter registration for  
28 eligible person when applying for motor vehicle driver's license,  
29 examination permit, probationary driver's license, or non-driver  
30 identification card.