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

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

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. (New section) The Legislature finds and declares that:
   a. The right to vote is a fundamental right in New Jersey and
      for all citizens of the United States.
   b. It is the responsibility of the State of New Jersey to:
      (1) ensure that every eligible State resident has the opportunity
to register to vote;
      (2) promote policies that will grow voter registration rates and
voter turnout;
      (3) guarantee that State voter registration systems are secure and
maintained with accuracy and efficiency and with the best available
   technologies and procedures; and
   (4) safeguard New Jersey’s voters from disenfranchisement on
Election Day due to outdated or inaccurate voter roll information.
   c. In other states, automatic voter registration at state agencies
has made state voter rolls more accurate while increasing voter
registration rates and may have contributed to increased voter
turnout, especially among populations that are less likely to
participate in elections.
   d. It is, therefore, the purpose of this act, P.L. , c. (pending
before the Legislature as this bill), to:
      (1) enable the New Jersey Motor Vehicle Commission and the
Secretary of State to provide the opportunity to register all eligible
State residents to vote with accurate, cost-efficient, and up-to-date
procedures;
      (2) modernize New Jersey’s voter registration and voter list
maintenance procedures; and
      (3) protect and enhance the integrity, accuracy, efficiency, and
accessibility of the electoral process for all eligible State residents.
2. Section 23 of P.L.1994, c.182 (C.39:3-10m) is amended to read as follows:

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

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

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

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

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

b. [Each application for voter registration which is received by the Division of Motor Vehicles shall be considered and processed as the replacement for any pre-existing voter registration of the applicant] (1) Pursuant to subsection a. of this section, for every application for a motor vehicle driver’s license, an examination permit, a probationary driver’s license, or a non-driver
identification card, and each related update, renewal, or change of
address, except as provided in paragraphs (2) and (3) of this
subsection, the Chief Administrator shall ensure that the
information necessary for voter registration is collected from the
application and promptly transmitted electronically to the Secretary
of State. The Chief Administrator shall ensure that electronic
records are not transmitted to the Secretary of State for any
applicant who has declined registration. The Commissioner of
Registration shall register to vote or update an existing registration
for any eligible applicant who has not declined voter registration.

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

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

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

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

(2) a notice of the voter eligibility requirements under R.S.19:4-
1 and the penalties for false registration and illegal voting under
Title 19 of the Revised Statutes, which notice shall contain an
affirmation that the applicant meets each such requirement and shall
require the signature of the applicant, under penalty of law; and
(3) a notice that an applicant who is a victim of domestic violence or stalking may decline the automatic voter registration and register to vote without disclosing the applicant’s street address pursuant to section 1 of P.L.1994, c.148 (C.19:31-3.2).

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

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

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

For the purposes of this section, “eligible applicant” means a person submitting to the commission an application for a motor vehicle driver’s license, an examination permit, a probationary driver’s license, or a non-driver identification card who meets all requirements for eligibility to vote under R.S.19:4-1. (cf: P.L.1994, c.182, s.24)

4. (New section) a. Any State agency, except for the Motor Vehicle Commission, that the Secretary of State verifies already collects documents that would provide proof of eligibility, including age, citizenship, and residence address, may establish and implement, upon approval by the Secretary of State, a procedure for
automatically and electronically transmitting voter registration
information to the Secretary of State of persons who are eligible to
vote for the purpose of registering such persons to vote or updating
their voter registration. Each person from whom such information is
collected shall be offered an opportunity to decline automatic voter
registration. Any such agency shall comply with the requirements,
to the extent applicable as determined by the Secretary of State, as
established in subsections b. through d. of section 24 of P.L.1994,
c.182 (C.39:2-3.2).

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

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

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