

§§3,22 -
C.39:3-10o &
39:3-10p
§5 - C.39:2-3.4a
§7 - C.39:2A-44
§21 –
C.39:3-10.8b
§§25,26 - T&E
§27 - Note

P.L. 2019, CHAPTER 271, *approved December 19, 2019*
Assembly, No. 4743 (*First Reprint*)

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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted December 12, 2019.

1 least 300 feet of frontage on one side or 300 feet collectively on
2 both sides of the roadway.

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

6 "Chief Administrator" or "Administrator" means the Chief
7 Administrator of the New Jersey Motor Vehicle Commission.

8 "Commercial motor vehicle" includes every type of motor-driven
9 vehicle used for commercial purposes on the highways, such as the
10 transportation of goods, wares and merchandise, excepting such
11 vehicles as are run only upon rails or tracks and vehicles of the
12 passenger car type used for touring purposes or the carrying of farm
13 products and milk, as the case may be.

14 "Commission" means the New Jersey Motor Vehicle
15 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
16 4).

17 "Commissioner" means the Commissioner of Transportation of
18 this State.

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

24 "Crosswalk" means that part of a highway at an intersection,
25 either marked or unmarked existing at each approach of every
26 roadway intersection, included within the connections of the lateral
27 lines of the sidewalks on opposite sides of the highway measured
28 from the curbs or, in the absence of curbs, from the edges of the
29 shoulder, or, if none, from the edges of the roadway; also, any
30 portion of a highway at an intersection or elsewhere distinctly
31 indicated for pedestrian crossing by lines or other marking on the
32 surface.

33 "Curb extension" or "bulbout" means a horizontal extension of
34 the sidewalk into the street which results in a narrower roadway
35 section.

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

39 "Deputy Chief Administrator" means the deputy chief
40 administrator of the commission.

41 "Driver" means the rider or driver of a horse, bicycle or
42 motorcycle or the driver or operator of a motor vehicle, unless
43 otherwise specified.

44 "Explosives" means any chemical compound or mechanical
45 mixture that is commonly used or intended for the purpose of
46 producing an explosion and which contains any oxidizing and
47 combustive units or other ingredients in such proportions, quantities

1 or packing that an ignition by fire, friction, by concussion, by
2 percussion, or by detonator of any part of the compound or mixture
3 may cause such a sudden generation of highly heated gases that the
4 resultant gaseous pressures are capable of producing destructive
5 effects on contiguous objects or of destroying life or limb.

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

9 "Flammable liquid" means any liquid having a flash point below
10 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
11 pounds.

12 "Gross weight" means the combined weight of a vehicle and a
13 load thereon.

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

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

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

23 "Inside lane" means the lane nearest the center line of the
24 roadway.

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

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

31 "Leased limousine" means any limousine subject to regulation in
32 the State which:

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

36 b. Is leased or rented for a period of one year or more
37 following registration.

38 "Leased motor vehicle" means any motor vehicle subject to
39 registration in this State which:

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

43 b. Is leased or rented for a period of one year or more
44 following registration.

45 "Limited-access highway" means every highway, street, or
46 roadway in respect to which owners or occupants of abutting lands
47 and other persons have no legal right of access to or from the same

1 except at such points only and in such manner as may be
2 determined by the public authority having jurisdiction over such
3 highway, street, or roadway; and includes any highway designated
4 as a "freeway" or "parkway" by authority of law.

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

9 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
10 as defined in 49 **[CFR]** C.F.R. s.571.3(b), whose attainable speed is
11 more than 20 miles per hour but not more than 25 miles per hour on
12 a paved level surface and which is not powered by gasoline or
13 diesel fuel and complies with federal safety standards as set forth in
14 49 **[CFR]** C.F.R. s.571.500.

15 "Magistrate" means any municipal court and the Superior Court,
16 and any officer having the powers of a committing magistrate and
17 the chief administrator.

18 "Manufacturer" means a person engaged in the business of
19 manufacturing or assembling motor vehicles, who will, under
20 normal business conditions during the year, manufacture or
21 assemble at least 10 new motor vehicles.

22 "Metal tire" means every tire the surface of which in contact with
23 the highway is wholly or partly of metal or other hard nonresilient
24 material.

25 "Mid-block crosswalk" means a crosswalk located away from an
26 intersection, distinctly indicated by lines or markings on the
27 surface.

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

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

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

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

45 "Motorized scooter" means a miniature motor vehicle and
46 includes, but is not limited to, pocket bikes, super pocket bikes,
47 scooters, mini-scooters, sport scooters, mini choppers, mini

1 motorcycles, motorized skateboards and other vehicles with motors
2 not manufactured in compliance with Federal Motor Vehicle Safety
3 Standards and which have no permanent Federal Safety
4 Certification stickers affixed to the vehicle by the original
5 manufacturer. This term shall not include: electric personal
6 assistive mobility devices, motorized bicycles or low-speed
7 vehicles; or motorized wheelchairs, mobility scooters or similar
8 mobility assisting devices used by persons with physical
9 disabilities, or persons whose ambulatory mobility has been
10 impaired by age or illness.

11 "Motorized skateboard" means a skateboard that is propelled
12 otherwise than by muscular power.

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

18 "Noncommercial truck" means every motor vehicle designed
19 primarily for transportation of property, and which is not a
20 "commercial vehicle."

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

25 "Omnibus" includes all motor vehicles used for the
26 transportation of passengers for hire, except commuter vans and
27 vehicles used in ridesharing arrangements and school buses, if the
28 same are not otherwise used in the transportation of passengers for
29 hire.

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

32 "Outside lane" means the lane nearest the curb or outer edge of
33 the roadway.

34 "Owner" means a person who holds the legal title of a vehicle, or
35 if a vehicle is the subject of an agreement for the conditional sale or
36 lease thereof with the right of purchase upon performance of the
37 conditions stated in the agreement and with an immediate right of
38 possession vested in the conditional vendee or lessee, or if a
39 mortgagor of a vehicle is entitled to possession, then the conditional
40 vendee, lessee or mortgagor shall be deemed the owner for the
41 purpose of this subtitle.

42 "Parking" means the standing or waiting on a street, road or
43 highway of a vehicle not actually engaged in receiving or
44 discharging passengers or merchandise, unless in obedience to
45 traffic regulations or traffic signs or signals.

1 "Passenger automobile" means all automobiles used and
2 designed for the transportation of passengers, other than omnibuses
3 and school buses.

4 "Pedestrian" means a person afoot.

5 "Person" includes natural persons, firms, copartnerships,
6 associations, and corporations.

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

9 "Pole trailer" means every vehicle without motive power
10 designed to be drawn by another vehicle and attached to the towing
11 vehicle by means of a reach, or pole, or by being boomed or
12 otherwise secured to the towing vehicle, and ordinarily used for
13 transporting long or irregularly shaped loads, such as poles, pipes,
14 or structural members capable, generally, of sustaining themselves
15 as beams between the supporting connections.

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

18 "Railroad train" means a steam engine, electric or other motor,
19 with or without cars coupled thereto, operated upon rails, except
20 street cars.

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

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

31 "REAL ID license" means any license to operate a motor vehicle
32 issued by the commission that complies with the provisions of the
33 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
34 supplementary thereto, and any federal regulations adopted
35 thereunder.

36 "REAL ID motorcycle license" means a motorcycle license
37 issued by the commission that complies with the provisions of the
38 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
39 supplementary thereto, and any federal regulations adopted
40 thereunder.

41 "REAL ID probationary license" means a probationary license
42 issued by the commission that complies with the provisions of the
43 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
44 supplementary thereto, and any federal regulations adopted
45 thereunder.

46 "Recreation vehicle" means a self-propelled or towed vehicle
47 equipped to serve as temporary living quarters for recreational,

1 camping or travel purposes and used solely as a family or personal
2 conveyance.

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

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

13 "Right-of-way" means the privilege of the immediate use of the
14 highway.

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

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

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

28 "School bus" means every motor vehicle operated by, or under
29 contract with, a public or governmental agency, or religious or other
30 charitable organization or corporation, or privately operated for the
31 transportation of children to or from school for secular or religious
32 education, which complies with the regulations of the New Jersey
33 Motor Vehicle Commission affecting school buses, including
34 "School Vehicle Type I" and "School Vehicle Type II" as defined
35 below:

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

46 "School Vehicle Type II" means any vehicle designed to
47 transport less than 16 passengers, including the driver, used to

1 transport enrolled children, and adults only when serving as
2 chaperones, to or from a school, school connected activity, day
3 camp, summer day camp, summer residence camp, nursery school,
4 child care center, preschool center or other similar places of
5 education. Such vehicle shall comply with the regulations of the
6 New Jersey Motor Vehicle Commission and either the Department
7 of Education or the Department of Human Services, whichever is
8 the appropriate supervising agency.

9 "School zone" means that portion of a highway which is either
10 contiguous to territory occupied by a school building or is where
11 school crossings are established in the vicinity of a school, upon
12 which are maintained appropriate "school signs" in accordance with
13 specifications adopted by the chief administrator and in accordance
14 with law.

15 "School crossing" means that portion of a highway where school
16 children are required to cross the highway in the vicinity of a
17 school.

18 "Semitrailer" 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
21 some part of its weight and that of its load rests upon or is carried
22 by another vehicle.

23 "Shipper" means any person who shall deliver, or cause to be
24 delivered, any commodity, produce or article for transportation as
25 the contents or load of a commercial motor vehicle. In the case of a
26 sealed ocean container, "shipper" shall not be construed to include
27 any person whose activities with respect to the shipment are limited
28 to the solicitation or negotiation of the sale, resale, or exchange of
29 the commodity, produce or article within that container.

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

33 "Sidewalk" means that portion of a highway intended for the use
34 of pedestrians, between the curb line or the lateral line of a
35 shoulder, or if none, the lateral line of the roadway and the adjacent
36 right-of-way line.

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

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

40 "Solid tire" means every tire of rubber or other resilient material
41 which does not depend upon compressed air for the support of the
42 load.

43 "Standard" means, when used to describe any license to operate
44 a motor vehicle or any identification card issued by the commission
45 under the provisions of this Title, that the issuance of the license or
46 identification card does not require proof of lawful presence in the
47 United States.

1 "Street" means the same as highway.

2 "Street car" means a car other than a railroad train, for
3 transporting persons or property and operated upon rails principally
4 within a municipality.

5 "Stop," when required, means complete cessation from
6 movement.

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

11 "Suburban business or residential district" means that portion of
12 highway and the territory contiguous thereto, where within any
13 1,320 feet along that highway there is land in use for business or
14 residential purposes and that land occupies more than 660 feet of
15 frontage on one side or collectively more than 660 feet of frontage
16 on both sides of that roadway.

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

21 "Trackless trolley" means every motor vehicle which is propelled
22 by electric power obtained from overhead trolley wires but not
23 operated upon rails.

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

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

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

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

36 "Truck tractor" means every motor vehicle designed and used
37 primarily for drawing other vehicles and not so constructed as to
38 carry a load other than a part of the weight of the vehicle and load
39 so drawn.

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

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

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

- 1 **1**[17.] 2.¹ Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended
2 to read as follows:
- 3 2. The Legislature finds and declares that:
- 4 a. The Division of Motor Vehicle Services (DMV) is one of the
5 State's principal customer service agencies with regular and direct
6 contact with virtually every citizen;
- 7 b. The DMV has over 15 million contacts a year with the
8 public, including 39 million transactions, more than any other State
9 agency;
- 10 c. The DMV has responsibility for issuing and certifying motor
11 vehicle driver's licenses, ensuring the proper registration of motor
12 vehicles, as well as conducting safety and emissions inspections of
13 motor vehicles;
- 14 d. The public expects courteous, efficient and accessible
15 service from government agencies, including the DMV;
- 16 e. The DMV's failed security systems are contributing to a
17 growing national problem of identity theft that is costing New
18 Jersey and the nation millions of dollars each week;
- 19 f. In the past, the DMV has been unable to deal with fraud and
20 corruption because of inadequate funding, training, security,
21 internal controls and oversight;
- 22 g. The DMV must improve its security system and equipment,
23 and its fraud detection, training and monitoring so that fraudulent
24 driver's licenses, such as those used in the furtherance of terroristic
25 activities, will be eliminated;
- 26 h. Internal audits and controls and investigations are also
27 needed to detect patterns of fraud, theft, corruption, identity theft
28 and mismanagement in the issuance of driver's licenses,
29 registrations, and titles because DMV documents must be more
30 resistant to compromise;
- 31 i. Criminals have used counterfeit passports, Social Security
32 cards, county identification cards, pay stubs and W-2 forms to
33 obtain fraudulent driver's licenses and identification cards in
34 furtherance of identity-theft schemes;
- 35 j. Proper identification must be required at all phases of the
36 licensing and driver testing process to assure that only those persons
37 qualified to legally obtain licenses do so;
- 38 k. It is essential that DMV records be matched with Social
39 Security Administration records, when presented, in order to verify
40 the validity of Social Security numbers in DMV databases;
- 41 l. Cameras, armed security guards, panic buttons, alarms,
42 safety upgrades, card access systems and door replacements are
43 needed in order to prevent fraud;
- 44 m. Employees or agents of the DMV should be required to
45 undergo background checks and fingerprinting;

- 1 n. Cleaning crews and maintenance workers at DMV facilities
2 must be supervised by DMV employees to ensure the security of
3 DMV records;
- 4 o. In a time of rapidly changing information technology and
5 Internet communications, the DMV lacks an information
6 technology plan to bring it to the 21st Century and still operates on
7 a decades-old computer network with patchwork hardware,
8 antiquated software and obsolete display terminals that lack
9 processing abilities;
- 10 p. Previous DMV efforts to implement complex technological
11 mandates have failed, due to bureaucratic mismanagement,
12 inefficient planning and inadequate oversight, as characterized by
13 reports of the State Commission of Investigation;
- 14 q. The DMV has become a reactive agency, struggling to keep
15 up with the demands of newly legislated responsibilities, and
16 without the necessary resources to prevent fraud and corruption at
17 its front-line agencies and without the ability to provide even
18 adequate service to its six million customers;
- 19 r. The DMV needs a strategic business plan, which is a key to
20 the operation of an agency, and must work within the confines of
21 such plan in an effort to adopt best practices, improve customer
22 service and gain back the confidence of New Jersey citizens and the
23 Legislature;
- 24 s. The DMV's privatization of some of its agencies in July
25 1995 has created poor, disjointed and confused service delivery
26 without consistency among the agencies in terms of policies and
27 procedures, which has led to confusion and frustration in the minds
28 of New Jersey citizens;
- 29 t. The DMV privatization has also resulted in poorly paid
30 employees who have received inadequate benefits, resulting in a
31 high turnover rate at DMV agencies;
- 32 u. A major benefit to a State-operated DMV system is the
33 ability to centralize anti-fraud policies and procedures;
- 34 v. Historically, the privately-operated local motor vehicle
35 agencies have been plagued with long lines, poor customer service
36 and inadequate business practices that have routinely caused
37 network delays and failures for hours at a time;
- 38 w. The DMV would be in a better position to plan for long-term
39 improvements, replacements and daily operations if it had a
40 dedicated and consistent source of funding;
- 41 x. In order to address the various problems with the DMV, a
42 "FIX DMV Commission" was formed on April 25, 2002, by
43 Governor's Executive Order Number 19 to conduct a comprehensive
44 review of the DMV and to make recommendations on the
45 restructuring and reorganization of the agency;
- 46 y. The "FIX DMV Commission" has reported that the DMV is
47 in crisis and has recommended that a New Jersey Motor Vehicle

1 Commission be formed in, but not of, the Department of
2 Transportation to replace the current New Jersey Division of Motor
3 Vehicles with the purposes of: (1) identifying and regulating drivers
4 and motor vehicles to deter unlawful and unsafe acts; (2)
5 identifying and correcting vehicle defects and limiting the amount
6 of vehicle-produced air pollution; (3) focusing on and responding to
7 customer service and security issues; and (4) effectuating change by
8 bringing greater attention and resources to the needs of the
9 organization;

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

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

22

23 13. (New section) The Legislature finds and declares that:

24 a. It is the responsibility of the State to ensure that all New
25 Jersey residents that are of driving age are properly trained, tested,
26 and insured in order to make public roads safer.

27 b. The State could improve roadway safety and automobile
28 insurance coverage by making driver's licenses and permits
29 available to any safe driver who meets all of the requirements
30 relating to the driver's ability to safely operate a motor vehicle, and
31 who provides proof of identity, qualifying age, and New Jersey
32 residency.

33 c. Fourteen states, the District of Columbia, and Puerto Rico
34 now allow individuals to drive if the individual is a qualified driver
35 and provides proof that establishes age, identity, and state
36 residency.

37 d. The measures in P.L. , c. (C.) (pending before the
38 Legislature as this bill) will protect the standard basic driver license
39 and non-driver identification card as a valid and respected form of
40 identification by requiring multiple documents, as deemed
41 acceptable by the commission, in order to obtain the standard basic
42 driver's license or non-driver identification card.

43 e. It is therefore the intent of the Legislature to support road
44 safety and privacy protections by making driver's licenses available
45 to any safe driver who meets all requirements relating to the
46 driver's ability to operate a motor vehicle, pursuant to R.S.39:3-10,

1 and who provides proof of identity, qualifying age, and residency
2 pursuant to the provisions of State law.¹

3

4 ¹4. Section 2 of P.L.1997, c.188 (C.39:2-3.4) is amended to read
5 as follows:

6 2. a. Notwithstanding the provisions of P.L.1963, c.73
7 (C.47:1A-1 et seq.) or any other law to the contrary, except as
8 provided in this act, the New Jersey Motor Vehicle Commission and
9 any officer, employee or contractor thereof shall not knowingly
10 disclose or otherwise make available to any person personal
11 information about any individual obtained by the commission in
12 connection with a motor vehicle record.

13 b. A person requesting a motor vehicle record including
14 personal information shall produce proper identification and shall
15 complete and submit a written request form provided by the chief
16 administrator for the commission's approval. The written request
17 form shall bear notice that the making of false statements therein is
18 punishable and shall include, but not be limited to, the requestor's
19 name and address; the requestor's driver's license number or
20 corporate identification number; the requestor's reason for
21 requesting the record; the driver's license number or the name,
22 address and birth date of the person whose driver record is
23 requested; the license plate number or VIN number of the vehicle
24 for which a record is requested; any additional information
25 determined by the chief administrator to be appropriate and the
26 requestor's certification as to the truth of the foregoing statements.
27 Prior to the approval of the written request form, the commission
28 may also require the requestor to submit documentary evidence
29 supporting the reason for the request.

30 In lieu of completing a written request form for each record
31 requested, the commission may permit a person to complete and
32 submit for approval of the chief administrator or the chief
33 administrator's designee, on a case by case basis, a written
34 application form for participation in a public information program
35 on an ongoing basis. The written application form shall bear notice
36 that the making of false statements therein is punishable and shall
37 include, but not be limited to, the applicant's name, address and
38 telephone number; the nature of the applicant's business activity; a
39 description of each of the applicant's intended uses of the
40 information contained in the motor vehicle records to be requested;
41 the number of employees with access to the information; the name,
42 title, and signature of the authorized company representative; and
43 any additional information determined by the chief administrator to
44 be appropriate. The chief administrator may also require the
45 applicant to submit a copy of its business credentials, such as a
46 license to do business or a certificate of incorporation. Prior to
47 approval by the chief administrator or the chief administrator's

1 designee, the applicant shall certify in writing as to the truth of all
2 statements contained in the completed application form.

3 c. Personal information shall be disclosed for use in connection
4 with matters of motor vehicle or driver safety and theft; motor
5 vehicle emissions; motor vehicle product alterations, recalls or
6 advisories; performance monitoring of motor vehicles and dealers
7 by motor vehicle manufacturers; and removal of non-owner records
8 from the original owner records of motor vehicle manufacturers to
9 carry out the purposes of the Automobile Information Disclosure
10 Act, Pub.L.85-506, the Motor Vehicle Information and Cost Saving
11 Act, Pub.L.92-513, the National Traffic and Motor Vehicle Safety
12 Act of 1966, Pub.L.89-563, the Anti-Car Theft Act of 1992,
13 Pub.L.102-519, and the Clean Air Act, Pub.L.88-206, and may be
14 disclosed as follows:

15 (1) For use by any government agency, including any court or
16 law enforcement agency in carrying out its functions, or any private
17 person or entity acting on behalf of a federal, State, or local agency
18 in carrying out its functions.

19 (2) For use in connection with matters of motor vehicle or driver
20 safety and theft; motor vehicle emissions; motor vehicle product
21 alterations, recalls, or advisories; performance monitoring of motor
22 vehicles, motor vehicle parts and dealers; motor vehicle market
23 research activities, including survey research; and the removal of
24 non-owner records from the original owner records of motor vehicle
25 manufacturers.

26 (3) For use in the normal course of business by a legitimate
27 business or its agents, employees, or contractors, but only:

28 (a) to verify the accuracy of personal information submitted by
29 the individual to the business or its agents, employees, or
30 contractors; and

31 (b) if such information as so submitted is not correct or is no
32 longer correct, to obtain the correct information, but only for the
33 purposes of preventing fraud by, pursuing legal remedies against, or
34 recovering on a debt or security interest against the individual.

35 (4) For use in connection with any civil, criminal, administrative
36 or arbitral proceeding in any federal, State, or local court or agency
37 or before any self-regulatory body, including service of process,
38 investigation in anticipation of litigation, and the execution or
39 enforcement of judgments and orders, or pursuant to an order of a
40 federal, State, or local court.

41 (5) For use in educational initiatives, research activities, and for
42 use in producing statistical reports, so long as the personal
43 information is not published, redisclosed, or used to contact
44 individuals and, in the case of educational initiatives, only to organ
45 procurement organizations as aggregated, non-identifying
46 information.

- 1 (6) For use by any insurer or insurance support organization, or
2 by a self-insured entity, or its agents, employees, or contractors, in
3 connection with claims investigation activities, antifraud activities,
4 rating or underwriting.
- 5 (7) For use in providing notice to the owners of towed or
6 impounded vehicles.
- 7 (8) For use by an employer or its agent or insurer to obtain or
8 verify information relating to a holder of a commercial driver's
9 license that is required under the "Commercial Motor Vehicle
10 Safety Act," 49 U.S.C.App.s.2710 et seq.
- 11 (9) For use in connection with the operation of private toll
12 transportation facilities.
- 13 (10) For use by any requestor, if the requestor demonstrates it
14 has obtained the notarized written consent of the individual to
15 whom the information pertains.
- 16 (11) For product and service mail communications from
17 automotive-related manufacturers, dealers and businesses, if the
18 commission has implemented methods and procedures to ensure
19 that:
- 20 (a) individuals are provided an opportunity, in a clear and
21 conspicuous manner, to prohibit such uses; and
- 22 (b) product and service mail communications from automotive-
23 related manufacturers, dealers and businesses will not be directed at
24 individuals who exercise their option under subparagraph (a) of this
25 paragraph.
- 26 (12) For use by an organ procurement organization designated
27 pursuant to 42 U.S.C.s.1320b-8 to serve in the State of New Jersey,
28 or any donor registry established by any such organization,
29 exclusively for the purposes of determining, verifying, and
30 recording organ and tissue donor designation and identity. For these
31 purposes, an organ procurement organization shall have electronic
32 access at all times, without exception, to real-time organ donor
33 designation and identification information. An organ procurement
34 organization may also have information for research activities,
35 pursuant to paragraph (5) of subsection c. of this section.
- 36 d. As provided by the federal "Drivers' Privacy Protection Act
37 of 1994," Pub.L.103-322, a person authorized to receive personal
38 information under paragraphs (1) through (10) of subsection c. of
39 this section may resell or redisclose the personal information only
40 for a use permitted by paragraphs (1) through (10) of subsection c.
41 of this section subject to regulation by the commission. A person
42 authorized to receive personal information under paragraph (11) of
43 subsection c. of this section may resell or redisclose the personal
44 information pursuant to paragraph (11) of subsection c. of this
45 section subject to regulation by the commission. An organization
46 authorized to receive personal information under paragraph (12) of

1 subsection c. of this section may redisclose the personal information
2 only for the purposes set forth in that paragraph.

3 e. As provided by the federal “Drivers’ Privacy Protection Act
4 of 1994,” Pub.L.103-322, a person authorized to receive personal
5 information under this section who resells or rediscloses personal
6 information covered by the provisions of **[this act]** P.L.1997, c.188
7 (C.39:2-3.3 et seq.) shall keep for a period of five years records
8 identifying each person or entity that receives information and the
9 permitted purpose for which the information will be used and shall
10 make such records available to the commission upon request. Any
11 person who receives, from any source, personal information from a
12 motor vehicle record shall release or disclose that information only
13 in accordance with **[this act]** P.L.1997, c.188 (C.39:2-3.3 et seq.).

14 f. The release of personal information under this section shall
15 not include an individual’s social security number except in
16 accordance with applicable State or federal law.

17 g. Notwithstanding any provision to the contrary, the
18 commission shall not use, or disclose to any federal, State, or local
19 law enforcement any motor vehicle record containing personal
20 information, or any personal information, as this term is defined in
21 section 1 of P.L.1997, c.188 (C.39:2-3.3), for any purposes related
22 to Title 8 of the United States Code without the informed consent of
23 the applicant, a warrant signed by a State or federal judge, lawful
24 court order, or subpoena, except that nothing in this section shall be
25 construed to prohibit, or in any way restrict, any action where such
26 prohibition or restriction would be contrary to federal law.

27 When responding to a warrant, court order, or subpoena, the
28 commission may disclose only those records or information
29 specifically requested in the warrant, court order, or subpoena.¹

30 (cf: P.L.2008, c.48, s.12)

31

32 ¹5. (New section) a. An applicant for a standard basic driver’s
33 license, standard motorcycle license, standard permit, standard
34 probationary license, or standard non-driver identification card shall
35 only be required to provide information or documentation necessary
36 to determine eligibility for the standard basic driver’s license,
37 standard motorcycle license, standard permit, standard probationary
38 license, or standard non-driver identification card for which the
39 applicant has applied. This provision shall not prohibit voluntary
40 submission of documents as a proof of identity to obtain a standard
41 basic driver’s license, standard motorcycle license, standard permit,
42 standard probationary license, or standard non-driver identification
43 card.

44 Any application form for a standard basic driver’s license,
45 standard motorcycle license, standard permit, standard probationary
46 license, or standard non-driver identification card shall not request

1 or require an applicant to state the reason for which an applicant is
2 ineligible to receive a social security number.

3 b. The commission may not retain copies, scanned images, or
4 records of any kind of primary or secondary documents submitted
5 to establish eligibility to obtain a standard basic driver's license,
6 standard motorcycle license, standard permit, standard probationary
7 license, or standard non-driver identification card, in accordance
8 with the point based identification verification program established
9 pursuant to section 28 of P.L.2003, c.13 (C.39:2A-28), except when
10 necessary for purposes of investigating identity fraud, driver's
11 license fraud, or non-driver identification card fraud.

12 c. The commission shall not disclose or otherwise make
13 accessible for any purposes related to Title 8 of the United States
14 Code any portion of any record that identifies whether or not the
15 type of basic driver's license, motorcycle license, permit,
16 probationary license, or non-driver identification card that a person
17 has applied for complies with the provisions of the "REAL ID Act
18 of 2005," Pub.L.109-13, any acts amendatory or supplementary
19 thereto, and any federal regulations adopted thereunder, except
20 where: (1) the applicant provides written informed consent to the
21 disclosure; (2) the requesting entity presents a warrant signed by a
22 State or federal judge, lawful court order, or subpoena; (3) required
23 by State or federal law; or (4) the disclosure is in connection with
24 an audit or investigation of identity fraud, driver's license fraud, or
25 non-driver identification fraud.¹

26

27 ¹6. Section 28 of P.L.2003, c.13 (C.39:2A-28) is amended to
28 read as follows:

29 28. In addition to any powers and duties otherwise imposed by
30 **【this act】** P.L.2003, c.13 (39:2A-1 et al.), the chief administrator
31 shall have general responsibility for the implementation of **【this**
32 **act】** P.L.2003, c.13 (39:2A-1 et al.), and shall, without limitation:

33 a. Perform, exercise₂ and discharge the functions, powers₂ and
34 duties of the commission through such offices as may be established
35 by **【this act】** P.L.2003, c.13 (39:2A-1 et al.) or otherwise by law;

36 b. Administer and organize the work of the commission in such
37 organizational units, and from time to time alter the plan of
38 organization as deemed expedient, as necessary for the secure,
39 efficient and effective operation of the commission;

40 c. Appoint, remove₂ and fix the compensation of subordinate
41 officers and other personnel employed by the commission in
42 accordance with the commission's table of organization, except as
43 herein otherwise specifically provided;

44 d. Appoint, remove, and fix the compensation and terms of
45 employment of the deputy administrator, who shall serve in the
46 State unclassified service, in accordance with the commission's
47 table of organization;

1 e. Organize and maintain an administrative office and employ
2 therein such secretarial, clerical, and other assistants in the
3 commission as the internal operations of the commission may
4 require;

5 f. Formulate and adopt rules and regulations for the efficient
6 conduct of the work and general administration of the commission,
7 its officers and employees;

8 g. Prepare an annual budget, and submit it to the board;

9 h. Prepare annually, a strategic business plan and submit it to
10 the board, including a facilities improvement and management plan
11 and a table of organization;

12 i. Institute or cause to be instituted such legal proceedings or
13 processes as may be necessary to properly enforce and give effect to
14 any of the powers or duties of the chief administrator;

15 j. Report as the Governor shall from time to time request or as
16 may be required by law;

17 k. Collect all fees, fines, penalties, surcharges, service charges,
18 and other charges imposed by **[this act]** P.L.2003, c.13 (39:2A-1 et
19 al.) and the regulations issued pursuant thereto or pursuant to law;

20 l. Develop and maintain a master list of all assets;

21 m. Oversee the implementation of the facilities improvement
22 and management plan, in consultation with the State Treasurer;
23 **[and]**

24 n. Perform such other functions as may be prescribed in **[this**
25 **act]** P.L.2003, c.13 (39:2A-1 et al.) or by any other law or by the
26 board; and

27 o. Establish a point based identification verification program,
28 or a successor identification verification program as the chief
29 administrator deems appropriate, which shall be used to prove the
30 identity of any applicant for a basic driver's license, probationary
31 license, permit, or non-driver identification card.¹

32 (cf: P.L.2007, c.335, s.14)

33
34 ¹7. (New section) In addition to the customer service and
35 security requirements set forth under this title, the Chief
36 Administrator of the New Jersey Motor Vehicle Commission shall
37 provide language translation services at each commission agency
38 and regional service center location that processes applications for
39 basic driver's licenses, permits, probationary driver's licenses, or
40 motor vehicle registration certificates. The language translation
41 services shall be provided in a language spoken and understood by
42 each applicant.

43 The commission shall translate its most commonly used
44 application forms as determined by the chief administrator into each
45 of the three languages, other than English, most commonly spoken
46 in the State. The chief administrator shall periodically, and at least

1 every five years, verify the three languages, other than English,
2 most commonly spoken in the State.¹

3

4 ¹**[2.] 8.**¹ R.S.39:3-10 is amended to read as follows:

5 39:3-10. A person shall not drive a motor vehicle on a public
6 highway in this State unless the person is under supervision while
7 participating in a behind-the-wheel driving course pursuant to
8 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
9 validated permit, or a probationary or basic driver's license issued to
10 that person in accordance with this article.

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

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

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, ¹Northern Mariana Islands,¹ Puerto Rico,
8 or the Virgin Islands. The commission shall be required to provide
9 that person with a booklet that highlights those motor vehicle laws
10 unique to New Jersey. A road test shall be required for a
11 probationary license and serve as a demonstration of the applicant's
12 ability to operate a vehicle of the class designated. During the road
13 test, an applicant may use a rear visibility system, parking sensors,
14 or other technology installed on the motor vehicle that enables the
15 applicant to view areas directly behind the vehicle or alerts the
16 applicant of obstacles while parking.

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

36 A person who successfully completes a road test for a
37 motorcycle license or a motorcycle endorsement when operating a
38 motorcycle or motorized scooter with an engine displacement of
39 less than 231 cubic centimeters shall be issued a motorcycle license
40 or endorsement restricting the person's operation of the vehicles to
41 any motorcycle with an engine displacement of 500 cubic
42 centimeters or less. A person who successfully completes a road
43 test for a motorcycle license or motorcycle endorsement when
44 operating a motorcycle with an engine displacement of 231 or more
45 cubic centimeters shall be issued a motorcycle license or
46 endorsement without any restriction as to engine displacement.
47 Any person who successfully completes an approved motorcycle

1 safety education course established pursuant to the provisions of
2 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
3 motorcycle license or endorsement without restriction as to engine
4 displacement.

5 A person issued a motorcycle license pursuant to this section
6 may be issued a standard motorcycle license or a REAL ID
7 motorcycle license. ¹The chief administrator shall require an
8 applicant for a standard motorcycle license to provide as proof of
9 the applicant's identity, age, and residence primary and secondary
10 documents, with which the chief administrator shall attribute point
11 values in accordance with the point based identification verification
12 program established pursuant to section 28 of P.L.2003, c.13
13 (C.39:2A-28). The point total required to prove the identity of an
14 applicant for the standard motorcycle license shall be the same for
15 every applicant, regardless of immigration status. In the event that
16 the commission changes the point total threshold, the requirement
17 that every applicant reach the same point total threshold shall
18 remain in effect.¹

19 In addition to requiring the person to submit satisfactory proof of
20 identity and age, the commission shall require the person to
21 provide:

22 (1) as a condition for obtaining a standard motorcycle license,
23 ¹["two documents"] proof of the person's social security number and
24 one document¹ providing satisfactory proof that the person is a New
25 Jersey resident ¹["and proof of the person's social security
26 number"]¹.

27 If the person does not have a social security number, the person
28 shall ¹either:

29 (a) provide satisfactory proof of an Individual Taxpayer
30 Identification Number; or

31 (b)¹ indicate, in a manner prescribed by the commission ¹and
32 consistent with all other provisions of P.L. _____, c. _____ (C. _____)
33 (pending before the Legislature as this bill)¹, that the person is not
34 eligible to receive a social security number; or

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

43 A standard motorcycle license shall indicate that the license shall
44 not be accepted as identification for an official purpose, as that term
45 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
46 acts amendatory or supplementary thereto, and any federal

1 regulations adopted thereunder ¹], and shall bear a unique design or
2 color to indicate that the license shall not be accepted for such
3 official purpose ¹.

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

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

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

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

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

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

16 Any person applying for a driver's license to operate a motor
17 vehicle or motorized bicycle in this State shall surrender to the
18 commission any current driver's license issued to the applicant by
19 another state or jurisdiction upon the applicant's receipt of a driver's
20 license for this State. The commission shall refuse to issue a
21 driver's license if the applicant fails to comply with this provision.

22 An applicant for a permit or license who is **less than** under 18
23 years of age, and who holds a permit or license for a passenger
24 automobile issued by another state or country that is valid or has
25 expired within a time period designated by the commission, shall be
26 subject to the permit and license requirements and penalties
27 applicable to State permit and license applicants who are of the
28 same age; except that if the other state or country has permit or
29 license standards substantially similar to those of this State, the
30 credentials of the other state or country shall be acceptable.

31 The commission shall create classified licensing of drivers
32 covering the following classifications:

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

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

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

45 d. All motor vehicles not included in classifications a. and b. A
46 license issued pursuant to this classification d. shall be referred to

1 as the "basic driver's license**【.】**" and may be issued as a standard
2 basic driver's license or a REAL ID basic driver's license.

3 Every applicant for a license under classification b. shall be a
4 holder of a basic driver's license. Any issuance of a license under
5 classification b. shall be by endorsement on the person's basic
6 driver's license.

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

15 The commission, upon payment of the lawful fee and after it or a
16 person authorized by it has examined the applicant and is satisfied
17 of the applicant's ability as an operator, may, in its discretion, issue
18 a license to the applicant to drive a motor vehicle. The license shall
19 authorize the person to drive any registered vehicle, of the kind or
20 kinds indicated.

21 The license shall expire, except as otherwise provided, during the
22 fourth calendar year following the date in which the license was
23 issued and on the same calendar day as the person's date of birth. If
24 the person's date of birth does not correspond to a calendar day of
25 the fourth calendar year, the license shall expire on the last day of
26 the person's birth month.

27 The commission may, at its discretion and for good cause shown,
28 issue licenses **【which shall】** that expire on a date fixed by it. If the
29 commission issues a REAL ID basic driver's license or REAL ID
30 motorcycle license to a person who has demonstrated authorization
31 to be present in the United States for a period of time shorter than
32 the standard period of the license, the commission shall fix the
33 expiration date of the license at a date based on the period in which
34 the person is authorized to be present in the United States under
35 federal immigration laws. The commission may renew the person's
36 REAL ID basic driver's license or REAL ID motorcycle license
37 only if it is demonstrated that the person's continued presence in the
38 United States is authorized under federal law. The fee for licenses
39 with expiration dates fixed by the commission shall be fixed by the
40 commission in amounts proportionately less or greater than the fee
41 herein established.

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

45 **【Motorcycle】** Standard motorcycle license or endorsement:
46 \$18.

47 REAL ID motorcycle license: \$29.

1 Omnibus or school bus endorsement: \$18.

2 **Basic** Standard basic driver's license: \$18.

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

4 The commission shall waive the payment of fees for issuance of
5 omnibus endorsements whenever an applicant establishes to the
6 commission's satisfaction that the applicant will use the omnibus
7 endorsement exclusively for operating omnibuses owned by a
8 nonprofit organization duly incorporated under ¹**Title** Titles¹ 15
9 or 16 of the Revised Statutes or Title 15A of the New Jersey
10 Statutes.

11 The commission shall issue licenses for the following license
12 period on and after the first day of the calendar month immediately
13 preceding the commencement of the period, the licenses to be
14 effective immediately.

15 All applications for renewals of licenses shall be made in a
16 manner prescribed by the commission and in accordance with
17 procedures established by it.

18 The commission in its discretion may refuse to grant a permit or
19 license to drive motor vehicles to a person who is, in its estimation,
20 not a proper person to be granted a permit or license, but a defect of
21 the applicant shall not debar the applicant from receiving a permit
22 or license unless it can be shown by tests approved by the
23 commission that the defect incapacitates the applicant from safely
24 operating a motor vehicle.

25 ¹A person issued a basic driver's license pursuant to this section
26 may be issued a standard basic driver's license or a REAL ID basic
27 driver's license. The chief administrator shall require an applicant
28 for a standard basic driver's license to provide as proof of the
29 applicant's identity, age, and residence primary and secondary
30 documents, with which the chief administrator shall attribute point
31 values in accordance with the point based identification verification
32 program established pursuant to section 28 of P.L.2003, c.13
33 (C.39:2A-28). The point total required to prove the identity of an
34 applicant for the standard basic driver's license shall be the same
35 for every applicant, regardless of immigration status. In the event
36 that the commission changes the point total threshold, the
37 requirement that every applicant reach the same point total
38 threshold shall remain in effect.¹

39 In addition to requiring an applicant for a driver's license to
40 submit satisfactory proof of identity and age, the commission also
41 shall require the applicant to provide~~.,~~:

42 (1) as a condition for obtaining a permit and standard basic
43 driver's license, ¹~~two documents~~ proof of the person's social
44 security number and one document¹ providing satisfactory proof
45 that the applicant is a New Jersey resident ¹and proof of the

1 applicant's social security number ¹. If the person does not have a
2 social security number, the person shall ¹either:

3 (a) provide satisfactory proof of an Individual Taxpayer
4 Identification Number; or

5 (b)¹ indicate, in a manner prescribed by the commission ¹and
6 consistent with all other provisions of P.L. , c. (C.)
7 (pending before the Legislature as this bill)¹ , that the person is not
8 eligible to receive a social security number; or

9 (2) as a condition for obtaining a REAL ID basic driver's
10 license: two documents providing satisfactory proof that the
11 applicant is a New Jersey resident; proof of the applicant's social
12 security number or verification of ineligibility for a social security
13 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
14 13, any acts amendatory or supplementary thereto, and any federal
15 regulations adopted thereunder; and proof that the applicant's
16 presence in the United States is authorized under federal law.

17 A standard basic driver's license shall indicate that the license
18 shall not be accepted as identification for an official purpose, as that
19 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
20 any acts amendatory or supplementary thereto, and any federal
21 regulations adopted thereunder ¹, and shall bear a unique design or
22 color to indicate that the license shall not be accepted for such
23 official purpose ¹.

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

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

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

44 Any documents and personal information, including an
45 applicant's photograph, obtained by the commission from an
46 applicant for a standard basic driver's license or standard
47 motorcycle license shall be confidential, shall not be considered a

1 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
2 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
3 access to government records, and shall not be disclosed by the
4 commission for ¹the purpose of investigation, arrest, citation,
5 prosecution, or detention related to an applicant's citizenship or
6 immigration status] any purpose related to Title 8 of the United
7 States Code¹ without the ¹informed¹ consent of the applicant ¹or
8 without a valid¹ , a warrant signed by a State or federal judge, or a
9 lawful¹ court order or subpoena; except that ¹the commission shall
10 not be restricted, prohibited, or prevented from maintaining, or
11 sending to or receiving from federal immigration authorities
12 information regarding the citizenship or immigration status, lawful
13 or unlawful, of any individual, pursuant to 8 U.S.C. s.1373 and 8
14 U.S.C. s.1644. Any person that knowingly discloses any documents
15 or personal information in violation of this section shall be guilty of
16 a crime of the fourth degree.] nothing in this section shall be
17 construed to prohibit, or in any way restrict, any action where such
18 prohibition or restriction would be contrary to federal law. When
19 responding to a warrant, court order, or subpoena, the commission
20 may disclose only those records or information specifically
21 requested in the warrant, court order, or subpoena.¹

22 Possession of a standard basic driver's license or standard
23 motorcycle license issued pursuant to this section shall not be
24 considered evidence of an individual's citizenship or immigration
25 status and shall not be used as a basis for an investigation, arrest,
26 citation, prosecution, or detention.

27 ¹Information regarding an applicant's Individual Tax
28 Identification Number, social security number, or ineligibility to
29 receive a social security number obtained by the commission for the
30 issuance of a standard motorcycle license or standard basic driver's
31 license pursuant to this section, shall not be considered a
32 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
33 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
34 access to government records, and shall not be disclosed by the
35 commission except where: (1) required by section 11 of P.L.1998,
36 c.1 (C.2A:17-56.60); (2) the applicant provides written informed
37 consent to the disclosure; (3) the requesting entity presents a
38 warrant signed by a State or federal judge, a lawful court order, or a
39 subpoena; (4) required by State or federal law, and to the extent that
40 the disclosure may be necessary to permit the State to participate in
41 the National Driver Register program, as set forth in 49 U.S.C.
42 s.30301 et seq.; or (5) the disclosure is in connection with an audit
43 or investigation of identity fraud, driver's license fraud, or non-
44 driver identification card fraud.¹

45 As used in this section:

1 "Parking sensors" means proximity sensors which use either
2 electromagnetic or ultrasonic technology and are designed to alert
3 the driver to obstacles while parking.

4 "Rear visibility system" means devices or components installed
5 on a motor vehicle at the time of manufacture that allow a forward
6 facing driver to view a visual image of the area directly behind the
7 vehicle.

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

9

10 ¹[3.] 9.¹ R.S.39:3-31 is amended to read as follows:

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

33 b. The chief administrator may waive the fee imposed for a
34 duplicate license under subsection a. of this section if the applicant,
35 at the time of application: is applying for a REAL ID license, as that
36 term is defined in R.S.39:1-1; currently holds a valid license to
37 operate a motor vehicle issued by the commission; and is not
38 eligible to renew the applicant's current license. The chief
39 administrator's authority to waive the duplicate license fee under
40 this subsection shall expire on October 1, 2020. In order to receive
41 a REAL ID license pursuant to this subsection, the applicant shall
42 first surrender to the commission the applicant's current license to
43 operate a motor vehicle.

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

45

46 ¹[4.] 10.¹ Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended
47 to read as follows:

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

32 Each initial driver's license issued to a person under the age of
33 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
34 shall be conspicuously distinct, through the use of color and design,
35 from the driver's licenses issued to persons 21 years of age or older.
36 The chief administrator, in consultation with the Superintendent of
37 State Police, shall determine the color and the manner in which the
38 license is designed to achieve this result. The license shall **【also】**
39 bear the words "UNDER 21" in a conspicuous manner. The chief
40 administrator shall provide that, upon attaining the age of 21, a
41 licensee shall be issued a replacement driver's license or a new
42 license, as appropriate. The fee for a replacement license shall be
43 \$5 in addition to the digitized **【picture】** photograph fee.

44 As conditions for the renewal of a driver's license, the chief
45 administrator shall provide that the **【picture】** photograph of a
46 licensee be updated except that the chief administrator may elect to
47 use a stored **【picture】** photograph to renew a license for a period

1 not exceeding four additional years for \$18 for a standard license
2 and \$29 for a REAL ID license, in addition to the digitized
3 **【picture】** photograph fee.

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

14 Whenever a person has reconstructive or cosmetic surgery which
15 significantly alters the person's facial features, the person shall
16 notify the chief administrator who may require the **【picture】**
17 photograph of the licensee to be updated for \$5 in addition to the
18 digitized **【picture】** photograph fee.

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

25 Specific use of the driver's license and any information stored or
26 encoded, electronically or otherwise, in relation thereto shall be in
27 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
28 “Driver's Privacy Protection Act of 1994,” Pub.L.103-322.
29 Notwithstanding the provisions of any other law to the contrary, the
30 digitized **【picture】** photograph or any access thereto or any use
31 thereof shall not be sold, leased, or exchanged for value.

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

33

34 ¹**【5.】** 11.¹ Section 4 of P.L.2001, c.391 (C.39:3-10f4) is
35 amended to read as follows:

36 4. The fee for a digitized **【picture】** photograph shall be \$6 for
37 each license, renewal, or duplicate thereof, and shall be in addition
38 to the fee presently authorized for the issuance of a driver's license
39 pursuant to R.S.39:3-10.

40 (cf: P.L.2001, c.391, s.4)

41

42 ¹**【6.】** 12.¹ R.S.39:3-13 is amended to read as follows:

43 39:3-13. The chief administrator may, in the chief
44 administrator's discretion, issue to a person over 17 years of age an
45 examination permit, under the hand and seal of the chief
46 administrator, allowing such person, for the purpose of fitting the

1 person to become a licensed driver, to operate a designated class of
2 motor vehicles other than passenger automobiles and motorcycles
3 for a specified period of not more than 90 days, while in the
4 company and under the supervision of a driver licensed to operate
5 such designated class of motor vehicles.

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

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

1 listening on any hand-held or hands-free interactive wireless
2 communication device or operating its keys, buttons, or other
3 controls. The passenger automobile permit holder shall ensure that
4 all occupants of the vehicle are secured in a properly adjusted and
5 fastened seat belt or child restraint system.

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

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

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

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

45 When notified by a court of competent jurisdiction that an
46 examination permit holder has been convicted of a violation which
47 causes the permit holder to accumulate more than two motor vehicle

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

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

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

1 permit, while in the company of and under the control of a holder of
2 a valid commercial driver license for the appropriate license class
3 and with the appropriate endorsements issued by this or any other
4 state. Such person, as well as the licensed driver, except for a motor
5 vehicle examiner administering a driving skills test, shall be held
6 accountable for all violations of this subtitle committed by such
7 person while in the presence of the licensed driver.

8 In addition to requiring an applicant for an examination permit to
9 submit satisfactory proof of identity and age ¹in accordance with
10 the type of license for which the applicant has applied¹, the chief
11 administrator also shall require the applicant to provide¹ **],** as a
12 condition for obtaining the permit, **two]** the requisite number of¹
13 documents providing satisfactory proof that the **[**applicant's
14 presence in the United States is authorized under federal law]
15 applicant is a resident of the State ¹**].** An applicant for a
16 commercial driver license permit shall submit satisfactory proof
17 that the applicant's presence in the United States is authorized
18 under federal law and proof of the applicant's social security
19 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any
20 acts amendatory or supplementary thereto, and any federal
21 regulations adopted thereunder.] in accordance with the provisions
22 of R.S.39:3-10.

23 Any documents and personal information, including an
24 applicant's photograph, obtained by the commission from an
25 applicant for a standard permit shall be confidential, shall not be
26 considered a government record pursuant to P.L.1963, c.73
27 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
28 common law concerning access to government records, and shall
29 not be disclosed by the commission for any purposes related to Title
30 8 of the United States Code without the informed consent of the
31 applicant, a warrant signed by a State or federal judge, or a lawful
32 court order or subpoena; except that nothing in this section shall be
33 construed to prohibit, or in any way restrict, any action where such
34 prohibition or restriction would be contrary to federal law. When
35 responding to a warrant, court order, or subpoena, the commission
36 may disclose only those records or information specifically
37 requested in the warrant, court order, or subpoena.

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

42 Information regarding an applicant's Individual Tax
43 Identification Number, social security number, or ineligibility to
44 receive a social security number obtained by the commission for the
45 issuance of a standard permit pursuant to this section, shall not be
46 considered a government record pursuant to P.L.1963, c.73
47 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the

1 common law concerning access to government records, and shall
2 not be disclosed by the commission except where: (1) required by
3 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
4 provides written informed consent to the disclosure; (3) the
5 requesting entity presents a warrant signed by a State or federal
6 judge, a lawful court order, or a subpoena; (4) required by State or
7 federal law, and to the extent that the disclosure may be necessary
8 to permit the State to participate in the National Driver Register
9 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
10 disclosure is in connection with an audit or investigation of identity
11 fraud, driver's license fraud, or non-driver identification card
12 fraud.¹

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

19 ¹A person violating this section shall be subject to a fine not
20 exceeding \$500 or imprisonment in the county jail for not more
21 than 60 days, but if that person has never been licensed to drive in
22 this State or any other jurisdiction, the applicant shall be subject to
23 a fine of not less than \$200 and, in addition, the court shall issue an
24 order to the commission requiring the commission to refuse to issue
25 a license to operate a motor vehicle to the person for a period of not
26 less than 180 days.¹

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

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

47 Basic driver's license.....up to \$10

1 Motorcycle license or endorsement.....\$ 5

2 Omnibus or school bus endorsement.....\$25

3 The chief administrator shall waive the payment of fees for
4 issuance of examination permits for omnibus endorsements
5 whenever the applicant establishes to the chief administrator's
6 satisfaction that said applicant will use the omnibus endorsement
7 exclusively for operating omnibuses owned by a nonprofit
8 organization duly incorporated under ¹**【Title】** Titles¹ 15 or 16 of
9 the Revised Statutes or Title 15A of the New Jersey Statutes.

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

17 As a condition for the issuance of an examination permit under
18 this section, the chief administrator shall secure a digitized
19 **【picture】** photograph of the applicant. The **【picture】** photograph
20 shall be stored in a manner prescribed by the chief administrator
21 and may be displayed on the examination permit.

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

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

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

35

36 ¹**【7.】** 13.¹ Section 1 of P.L.1950, c.127 (C.39:3-13.1) is
37 amended to read as follows:

38 1. The Chief Administrator of the New Jersey Motor Vehicle
39 Commission may issue to a person over 16 years of age a special
40 learner's permit, under the hand and seal of the chief administrator,
41 allowing such person, for the purpose of preparing ¹**【himself】**¹ to
42 qualify for a probationary license for a passenger automobile by
43 operating a dual pedal controlled motor vehicle while taking a
44 required course of behind-the-wheel automobile driving education
45 approved by the State Department of Education and conducted in a
46 public, parochial, or private school of this State or a course of
47 behind-the-wheel automobile driving instruction conducted by a

1 drivers' school duly licensed pursuant to the provisions of P.L.1951,
2 c.216 (C.39:12-1 et seq.). The special learner's permit shall be
3 issued in lieu of the examination permit provided for in R.S.39:3-
4 13.

5 In addition to requiring an applicant for a permit to submit
6 satisfactory proof of identity and age ¹in accordance with the type
7 of license for which the applicant has applied¹, the chief
8 administrator also shall require the applicant to provide ¹], as a
9 condition for obtaining the permit, two] the requisite number of¹
10 documents providing satisfactory proof that the [applicant's
11 presence in the United States is authorized under federal law]
12 applicant is a resident of the State.

13 ¹Any documents and personal information, including an
14 applicant's photograph, obtained by the commission from an
15 applicant for a standard permit shall be confidential, shall not be
16 considered a government record pursuant to P.L.1963, c.73
17 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
18 common law concerning access to government records, and shall
19 not be disclosed by the commission for any purpose related to Title
20 8 of the United States Code without the informed consent of the
21 applicant, a warrant signed by a State or federal judge, or a lawful
22 court order or subpoena; except that nothing in this section shall be
23 construed to prohibit, or in any way restrict, any action where such
24 prohibition or restriction would be contrary to federal law. When
25 responding to a warrant, court order, or subpoena, the commission
26 may disclose only those records or information specifically
27 requested in the warrant, court order, or subpoena.

28 Possession of a standard permit issued pursuant to this section
29 shall not be considered evidence of an individual's citizenship or
30 immigration status and shall not be used as a basis for an
31 investigation, arrest, citation, prosecution, or detention.

32 Information regarding an applicant's Individual Tax
33 Identification Number, social security number, or ineligibility to
34 receive a social security number obtained by the commission for the
35 issuance of a standard permit pursuant to this section, shall not be
36 considered a government record pursuant to P.L.1963, c.73
37 (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 except where: (1) required by
40 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
41 provides written informed consent to the disclosure; (3) the
42 requesting entity presents a warrant signed by a State or federal
43 judge, a lawful court order, or a subpoena; (4) required by State or
44 federal law, and to the extent that the disclosure may be necessary
45 to permit the State to participate in the National Driver Register
46 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
47 disclosure is in connection with an audit or investigation of identity

1 fraud, driver's license fraud, or non-driver identification card
2 fraud.¹

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

9 ¹A person violating this section shall be subject to a fine not
10 exceeding \$500 or imprisonment in the county jail for not more
11 than 60 days, but if that person has never been licensed to drive in
12 this State or any other jurisdiction, the applicant shall be subject to
13 a fine of not less than \$200 and, in addition, the court shall issue an
14 order to the commission requiring the commission to refuse to issue
15 a license to operate a motor vehicle to the person for a period of not
16 less than 180 days.¹

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

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

26

27 ¹**[8.] 14.**¹ Section 4 of P.L.1950, c.127 (C.39:3-13.4) is
28 amended to read as follows:

29 4. a. The holder of a special learner's permit shall be entitled
30 to a probationary driver's license (1) upon attaining the age of 17
31 years, (2) upon the satisfactory completion of an approved behind-
32 the-wheel driver training course as indicated upon the face of the
33 special permit over the signature of the principal of the school or
34 the person operating the driving school in which the course was
35 conducted, (3) upon the completion of six months' driving
36 experience with a validated special learner's permit in compliance
37 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),
38 and (4) upon passing the road test pursuant to R.S.39:3-10.

39 b. The holder of a probationary license shall be permitted to
40 operate the passenger automobile with only one additional
41 passenger in the vehicle besides any dependent of the probationary
42 license holder, except that this passenger restriction shall not apply
43 when the holder of the probationary license is at least 21 years of
44 age or the probationary license holder is accompanied by a parent or
45 guardian. Further, the holder of the probationary license who is
46 under 21 years of age shall not drive during the hours between
47 11:01 p.m. and 5 a.m.; provided however, that this condition may

1 be waived for an emergency which, in the judgment of local police,
2 is of sufficient severity and magnitude to substantially endanger the
3 health, safety, welfare, or property of a person or for any bona fide
4 employment or religion-related activity if the employer or
5 appropriate religious authority provides written verification of such
6 activity in a manner provided for by the chief administrator.

7 c. The holder of the probationary license shall not use any
8 hand-held or hands-free interactive wireless communication device,
9 except in an emergency, while operating a moving passenger
10 automobile on a public road or highway. "Use" shall include, but
11 not be limited to, talking or listening on any hand-held or hands-
12 free interactive wireless communication device or operating its
13 keys, buttons, or other controls. In addition, the holder of the
14 probationary license shall ensure that all occupants of the vehicle
15 are secured in a properly adjusted and fastened seat belt or child
16 restraint system.

17 d. In addition to any other penalties provided under law, the
18 holder of a probationary license who accumulates more than two
19 motor vehicle points or is convicted of a violation of R.S.39:4-50;
20 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
21 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
22 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or
23 any other motor vehicle law the chief administrator deems to be
24 significant and applicable pursuant to regulation shall, for the first
25 violation, be required to satisfactorily complete a remedial training
26 course of not less than four hours which may be given by the
27 commission, a driving school licensed by the chief administrator
28 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any
29 Statewide safety organization approved by the chief administrator.
30 The course shall be administered pursuant to rules and regulations
31 promulgated by the chief administrator and subject to oversight by
32 the commission. The authority of the chief administrator to
33 suspend, revoke, or deny issuance of an initial or renewal license to
34 operate a driving school or an instructor's license, and to assess
35 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to
36 any violations related to the administration of a remedial training
37 course. The license holder shall also remit a course fee prior to the
38 commencement of the course.

39 e. When notified by a court of competent jurisdiction that a
40 probationary license holder has been convicted of a second or
41 subsequent violation, in addition to any other penalties provided
42 under law, the chief administrator shall, without the exercise of
43 discretion or a hearing, suspend the probationary license for three
44 months, and shall postpone eligibility for a basic license for an
45 equivalent period. In addition, when the chief administrator is
46 notified by a court of competent jurisdiction that a probationary
47 license holder has been convicted of any alcohol or drug-related

1 offense unrelated to the operation of a motor vehicle, and he is not
2 otherwise subject to any other suspension penalty therefor, the chief
3 administrator shall, without the exercise of discretion or a hearing,
4 suspend the probationary license for six months.

5 f. The chief administrator shall provide the holder of a
6 probationary license with two removable, transferable, highly
7 visible, reflective decals indicating that the driver of the vehicle
8 may be the holder of a probationary license. The decals shall be
9 designed by the chief administrator, in consultation with the
10 Division of Highway Traffic Safety in the Department of Law and
11 Public Safety. The chief administrator may charge a fee for the
12 decals not to exceed the actual cost of producing and distributing
13 the decals. The decals shall be displayed in a manner prescribed by
14 the chief administrator, in consultation with the Division of
15 Highway Traffic Safety in the Department of Law and Public
16 Safety, and shall be clearly visible to law enforcement officers. The
17 holder of a probationary license shall not operate a vehicle unless
18 the decals are displayed. The decal shall be removed once the
19 driver's probationary license period has ended.

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

24 h. A person issued a probationary license pursuant to this
25 section may be issued a standard probationary license or a REAL
26 ID probationary license. ¹The chief administrator shall require an
27 applicant for a standard probationary license to provide as proof of
28 the applicant's identity, age, and residence primary and secondary
29 documents, with which the chief administrator shall attribute point
30 values in accordance with the point based identification verification
31 program established pursuant to section 28 of P.L.2003, c.13
32 (C.39:2A-28). The point total required to prove the identity of an
33 applicant for the standard probationary license shall be the same for
34 every applicant, regardless of immigration status. In the event that
35 the commission changes the point total threshold, the requirement
36 that every applicant reach the same point total threshold shall
37 remain in effect.¹

38 In addition to requiring an applicant for a probationary license to
39 submit satisfactory proof of identity and age, the chief administrator
40 shall require the applicant to provide:

41 (1) as a condition for obtaining a standard probationary license,
42 ¹two documents proof of the applicants social security number
43 and one document¹ providing satisfactory proof that the applicant is
44 a New Jersey resident ¹and proof of the applicant's social security
45 number¹. If the applicant does not have a social security number,
46 the applicant shall ¹either:

1 (a) provide satisfactory proof of an Individual Taxpayer
2 Identification Number; or

3 (b)¹ indicate, in a manner prescribed by the commission ¹and
4 consistent with all other provisions of P.L. , c. (C.)
5 (pending before the Legislature as this bill)¹, that the person is not
6 eligible to receive a social security number; or

7 (2) as a condition for obtaining a REAL ID probationary
8 license: two documents providing satisfactory proof that the
9 applicant is a New Jersey resident; proof of the applicant's social
10 security number or verification of ineligibility for a social security
11 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
12 13, any acts amendatory or supplementary thereto, and any federal
13 regulations adopted thereunder; and proof that the applicant's
14 presence in the United States is authorized under federal law.

15 A standard probationary license shall indicate that the license
16 shall not be accepted as identification for an official purpose, as that
17 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
18 any acts amendatory or supplementary thereto, and any federal
19 regulations adopted thereunder ¹], and shall bear a unique design or
20 color to indicate that the license shall not be accepted for such
21 official purpose.]¹.

22 If the chief administrator has reasonable cause to suspect that
23 any document presented by an applicant pursuant to this section is
24 altered, false, or otherwise invalid, the chief administrator shall
25 refuse to grant the probationary license until such time as the
26 document may be verified by the issuing agency to the chief
27 administrator's satisfaction.

28 ¹A person violating this section shall be subject to a fine not
29 exceeding \$500 or imprisonment in the county jail for not more
30 than 60 days, but if that person has never been licensed to drive in
31 this State or any other jurisdiction, the applicant shall be subject to
32 a fine of not less than \$200 and, in addition, the court shall issue an
33 order to the commission requiring the commission to refuse to issue
34 a license to operate a motor vehicle to the person for a period of not
35 less than 180 days.¹

36 i. Any documents and personal information, including an
37 applicant's photograph, obtained by the commission from an
38 applicant for a standard probationary license shall be confidential,
39 shall not be considered a government record pursuant to P.L.1963,
40 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
41 common law concerning access to government records, and shall
42 not be disclosed by the commission for ¹[the purpose of
43 investigation, arrest, citation, prosecution, or detention related to an
44 applicant's citizenship or immigration status] any purpose related
45 to Title 8 of the United States Code¹ without the ¹informed¹
46 consent of the applicant ¹[or without a valid] , a warrant signed by

1 a State or federal judge, or a lawful¹ court order or subpoena;
2 except that ¹the commission shall not be restricted, prohibited, or
3 prevented from maintaining, or sending to or receiving from federal
4 immigration authorities information regarding the citizenship or
5 immigration status, lawful or unlawful, of any individual, pursuant
6 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly
7 discloses any documents or personal information in violation of this
8 section shall be guilty of a crime of the fourth degree. nothing in
9 this section shall be construed to prohibit, or in any way restrict,
10 any action where such prohibition or restriction would be contrary
11 to federal law. When responding to a warrant, court order, or
12 subpoena, the commission may disclose only those records or
13 information specifically requested in the warrant, court order, or
14 subpoena.

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

19 Information regarding an applicant's Individual Tax
20 Identification Number, social security number, or ineligibility to
21 receive a social security number obtained by the commission for the
22 issuance of a standard probationary license pursuant to this section,
23 shall not be considered a government record pursuant to P.L.1963,
24 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
25 common law concerning access to government records, and shall
26 not be disclosed by the commission except where: (1) required by
27 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
28 provides written informed consent to the disclosure; (3) the
29 requesting entity presents a warrant signed by a State or federal
30 judge, a lawful court order, or a subpoena; (4) required by State or
31 federal law, and to the extent that the disclosure may be necessary
32 to permit the State to participate in the National Driver Register
33 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
34 disclosure is in connection with an audit or investigation of identity
35 fraud, driver's license fraud, or non-driver identification card
36 fraud.¹

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

38

39 ¹**[9.] 15.** ¹ Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended
40 to read as follows:

41 2. a. (1) The New Jersey Motor Vehicle Commission shall
42 issue an identification card to any resident of the State who is 14
43 years of age or older and who is not the holder of a valid permit or
44 basic driver's license. The identification card shall attest to the true
45 name, correct age, and veteran status, upon submission of
46 satisfactory proof, by any veteran, and shall contain other
47 identifying data as certified by the applicant for such identification

1 card. Every application for an identification card shall be signed
2 and verified by the applicant and shall be accompanied by the
3 written consent of at least one parent or the person's legal guardian
4 if the person is under 17 years of age and shall be supported by such
5 documentary evidence of the age, identity, and veteran status, or
6 blindness, or disability of such person as the chief administrator
7 may require.

8 ¹A person issued an identification card pursuant to this section
9 may be issued a standard identification card or a REAL ID
10 identification card. The chief administrator shall require any
11 applicant for a standard identification card to provide as proof of
12 the applicant's identity, age, and residence primary and secondary
13 documents, with which the chief administrator shall attribute point
14 values in accordance with the point based identification verification
15 program established pursuant to section 28 of P.L.2003, c.13
16 (C.39:2A-28). The point total required to prove the identity of an
17 applicant for the standard probationary license shall be the same for
18 every applicant, regardless of immigration status. In the event that
19 the commission changes the point total threshold, the requirement
20 that every applicant reach the same point total threshold shall
21 remain in effect.¹

22 In addition to requiring an applicant for an identification card to
23 submit satisfactory proof of identity, age, and, if appropriate,
24 veteran status, the chief administrator also shall require the
25 applicant to provide~~[],~~:

26 (a) as a condition for obtaining ~~the~~ a standard identification
27 card, ¹~~two documents~~ proof of the applicant's social security
28 number and one document¹ providing satisfactory proof that the
29 applicant is a New Jersey resident ¹~~and proof of the applicant's~~
30 ~~social security number~~¹. If the applicant does not have a social
31 security number, the applicant shall ¹either:

32 (i) provide satisfactory proof of an Individual Taxpayer
33 Identification Number; or

34 (ii)¹ indicate, in a manner prescribed by the commission ¹and
35 consistent with all other provisions of P.L. , c. (C.)
36 (pending before the Legislature as this bill)¹, that the applicant is
37 not eligible to receive a social security number; or

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

1 Any documents and personal information, including an
2 applicant's photograph, obtained by the commission from an
3 applicant for a standard identification card shall be confidential,
4 shall not be considered a government record pursuant to P.L.1963,
5 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
6 common law concerning access to government records, and shall
7 not be disclosed by the commission for ¹the purpose of
8 investigation, arrest, citation, prosecution, or detention related to an
9 applicant's citizenship or immigration status ¹any purposes related
10 to Title 8 of the United States Code ¹without the ¹informed ¹consent
11 of the applicant ¹or without a valid ¹, a warrant signed by a State
12 or federal judge, or a lawful ¹court order or subpoena; except that
13 ¹the commission shall not be restricted, prohibited, or prevented
14 from maintaining, or sending to or receiving from federal
15 immigration authorities information regarding the citizenship or
16 immigration status, lawful or unlawful, of any individual, pursuant
17 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly
18 discloses any documents or personal information in violation of this
19 section shall be guilty of a crime of the fourth degree. ¹nothing in
20 this section shall be construed to prohibit, or in any way restrict,
21 any action where such prohibition or restriction would be contrary
22 to federal law. When responding to a warrant, court order, or
23 subpoena, the commission may disclose only those records or
24 information specifically requested in the warrant, court order, or
25 subpoena. ¹

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

30 ¹Information regarding an applicant's Individual Tax
31 Identification Number, social security number, or ineligibility to
32 receive a social security number obtained by the commission for the
33 issuance of a standard identification card pursuant to this section,
34 shall not be considered a government record pursuant to P.L.1963,
35 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
36 common law concerning access to government records, and shall
37 not be disclosed by the commission except where: (1) required by
38 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
39 provides written informed consent to the disclosure; (3) the
40 requesting entity presents a warrant signed by a State or federal
41 judge, a lawful court order, or a subpoena; (4) required by State or
42 federal law, and to the extent that the disclosure may be necessary
43 to permit the State to participate in the National Driver Register
44 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
45 disclosure is in connection with an audit or investigation of identity

1 fraud, driver's license fraud, or non-driver identification card
2 fraud.¹

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

10 ¹A person violating this section shall be subject to a fine not
11 exceeding \$500 or imprisonment in the county jail for not more
12 than 60 days.¹

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

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

27 c. For the purpose of this section:

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

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

36 "Veteran" means a person who has been honorably discharged
37 from the active military service of the United States ¹or from
38 service in the New Jersey National Guard¹; and

39 "Satisfactory proof" means, in the case of a veteran, a copy of
40 form ¹NGB-22,¹ DD-214 or federal activation orders showing
41 service under Title 10, section 672 or section 12301, of the United
42 States Code, or a county veteran identification card only if issuance
43 of the card requires a copy of form DD-214 discharge papers or
44 approved separation forms as outlined by all branches of the
45 military and duly recorded by the county clerk's office. In the case
46 of a Gold Star Family member, satisfactory proof includes any or
47 all of the 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.2019, c.255, s.2)

20

21 ¹**[10.] 16.**¹ Section 3 of P.L.1980, c.47 (C.39:3-29.4) is
22 amended to read 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 ¹**[, and shall bear a unique design or**
35 **color to indicate that the identification card shall not be accepted for**
36 **such official purpose]**¹.

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

38

39 ¹**[11.] 17.**¹ Section 4 of P.L.1980, c.47 (C.39:3-29.5) is
40 amended to read 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

1 identification card does not correspond to a calendar day of the
 2 fourth calendar year, the identification card shall expire on the last
 3 day of the birth month of the bearer of the card.

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

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

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

38

39 ¹**[12.] 18.**¹ Section 6 of P.L.1980, c.47 (C.39:3-29.7) is
 40 amended to read as follows:

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

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

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

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

23 (cf: P.L.2016, c.99, s.1)
24

25 ¹**[13.] 19.**¹ Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is
26 amended to read as follows:

27 15. a. Insurers shall put in writing all underwriting rules
28 applicable to each rate level utilized pursuant to section 14 of
29 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account
30 factors, including, but not limited to, driving record characteristics
31 appropriate for underwriting and classification in formulating its
32 underwriting rules; provided that no underwriting rule based on
33 motor vehicle violations shall be formulated in such a manner as to
34 assign any named insured to a rating tier other than the standard
35 rating tier applicable to the insured's territory solely on the basis of
36 accumulating four motor vehicle points or less. No underwriting
37 rule shall operate in such a manner as to assign a risk to a rating
38 plan on the basis of the territory in which the insured resides or any
39 other factor which the commissioner finds is a surrogate for
40 territory. No underwriting rule shall operate in such a manner as to
41 assign a risk to a rating plan on the basis of an insured holding a
42 standard motorcycle license or standard basic driver's license issued
43 pursuant to R.S.39:3-10, or standard probationary license issued
44 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer
45 which knowingly fails to transact automobile insurance consistently
46 with its underwriting rules shall be subject to a fine of not less than
47 \$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 ¹**【14.】** 20.¹ Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended
27 to read 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
6 ¹21. (New section) The Chief Administrator of the New Jersey
7 Motor Vehicle Commission shall permit a license or identification
8 card holder to amend the notation on the person's license or
9 identification card to reflect legal changes, in accordance with the
10 provisions of section 1 of P.L.1984, c.191 (C.26:8-40.12).¹

11
12 ¹[15.] 22.¹ (New section) ¹a. A person or entity shall not
13 discriminate against any person based upon the fact that the person
14 applied for, was issued, holds, or presents a standard basic driver's
15 license, standard motorcycle license, standard permit, standard
16 probationary license, or standard identification card.¹

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

32 Nothing in this section shall be construed to alter an employer's
33 rights or obligations under 8 U.S.C. s.1324a regarding obtaining
34 documentation evidencing identity and authorization for
35 employment. ¹[An action taken by an employer that is required by
36 8 U.S.C. s.1324a shall not constitute a violation of this section.]
37 Any action that is required by federal or State law or regulation, or
38 by government contract shall not constitute a violation of this
39 section.

40 b. The provisions of this section shall also apply to the State,
41 any political subdivision of the State, any agency or instrumentality
42 of the State, and to any political subdivision of the State, and the
43 employees, officers, or officials thereof, including law enforcement
44 officers. Employees, officers, or officials, including law
45 enforcement officers shall accept any standard basic driver's
46 license, standard motorcycle license, standard permit, standard
47 probationary license, or standard identification card, as proof of

1 identity, age, and State residency of its holder and shall not
2 discriminate against an individual based upon the fact that the
3 individual applied for, was issued, holds, or presents a standard
4 basic driver's license, standard motorcycle license, standard permit,
5 standard probationary license, or standard identification card.¹

6
7 ¹**[16.] 23.**¹ Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is
8 amended to read as follows:

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

15 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of
16 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152
17 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6
18 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108
19 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-
20 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of
21 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-
22 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);
23 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,
24 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);
25 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162
26 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);
27 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-
28 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,
29 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);
30 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,
31 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);
32 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77
33 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-
34 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of
35 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-
36 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);
37 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2
38 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307
39 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section
40 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;
41 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,
42 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);
43 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,
44 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156
45 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of
46 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-
47 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of

1 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-
2 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of
3 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-
4 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;
5 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-
6 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;
7 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,
8 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

9 b. (1) In determining an appropriate increase of any fee or
10 surcharge pursuant to subsection a. of this section, the board shall
11 consider at least the following factors: (a) the year in which the fee
12 or surcharge was last increased; (b) the actual costs to the State of
13 New Jersey for administering any transaction, process, filing,
14 registration, inspection, audit, or any license, permit, or other
15 document issuance, for which the fee or surcharge is collected; and
16 (c) the annual percentage increase in the Consumer Price Index or
17 other similar relevant index.

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

25 (2) All increases in a fee or surcharge after the first increase
26 shall also be subject to the following limitation: the increase shall
27 not exceed the cumulative annual percentage increase in the
28 Consumer Price Index for the five fiscal years prior to the date of
29 the proposed subsequent increase.

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

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

37 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13
38 (C.39:2A-36), 100 percent of the increased revenues collected from
39 such increase shall be remitted to the commission.

40 (cf: P.L.2007, c.335, s.16)

41

42 ¹**[18.] 24.**¹ R.S.39:3-41 is amended to read as follows:

43 39:3-41. a. At the time of the issuance of an examination
44 permit or a special learner's permit to operate a motor vehicle, the
45 chief administrator shall make available to each applicant for the
46 examination permit or special learner's permit a driver's manual

1 containing information required to be known and followed by
2 licensed drivers relating to licensing requirements.

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

7 c. The driver's manual and any supplements thereto or any
8 other booklet or writing prepared in connection with examinations
9 for drivers' licenses or for renewals of drivers' licenses shall contain
10 all information necessary to answer any question on an examination
11 for a driver's license or for a renewal of a driver's license.

12 The chief administrator shall publish the driver's manual on the
13 website of the commission in English and each of the three
14 languages, other than English, most commonly spoken in the State,
15 as determined by the chief administrator. The chief administrator
16 shall periodically, and at least every five years, verify the three
17 languages, other than English, most commonly spoken in the State.

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

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

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

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

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

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

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

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

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

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

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

20

21 ¹**[19.] 25.**¹ (New section) The Chief Administrator of the New
22 Jersey Motor Vehicle Commission, in consultation with the
23 Attorney General, shall establish a public awareness campaign for
24 the duration of 24 months following the effective date of
25 P.L. , c. (C.) (pending before the Legislature as this bill) to
26 inform the general public about the availability of and the
27 requirements to obtain a standard and REAL ID basic driver's
28 license, motorcycle license, probationary license, and identification
29 card.

30

31 ¹**[20.] 26.**¹ (New section) a. There is created an advisory board
32 to be known as the "Standard and REAL ID Driver License and
33 Identification Card Advisory Board."

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

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

- 1 (1) the Chief Administrator of the New Jersey Motor Vehicle
2 Commission, or the chief administrator's designee, who shall serve
3 ex officio;
- 4 (2) the Governor's Chief Counsel, or the chief counsel's
5 designee, who shall serve ex officio; and
- 6 (3) nine public members as follows:
- 7 (a) three members appointed by the Governor;
- 8 (b) three members appointed by the Governor upon the
9 recommendation of the President of the Senate; and
- 10 (c) three members appointed by the Governor upon the
11 recommendation of the Speaker of the General Assembly.
- 12 d. A vacancy in the membership of the advisory board shall be
13 filled in the same manner provided for the original appointment.
- 14 e. The advisory board shall organize ¹as soon as practicable
15 following the appointment of its members within 90 days of the
16 effective of P.L. , c. (C.) (pending before the Legislature as
17 this bill)¹, and shall select a chairperson and vice-chairperson from
18 among its members.
- 19 f. The public members of the advisory board shall serve
20 without compensation, but may be reimbursed for necessary
21 expenses incurred in the performance of their duties to the extent
22 that such funds are made available for that purpose.
- 23 g. The New Jersey Motor Vehicle Commission shall provide
24 staff support to the advisory board as may be necessary for its
25 purposes. The advisory board shall be entitled to call to its
26 assistance and avail itself of the services of the employees of any
27 State, county, or municipal department, board, bureau, commission,
28 or agency, as it may require and as may be available for its
29 purposes.
- 30 h. No later than 12 months after the effective date of P.L. ,
31 c. (C.) (pending before the Legislature as this bill), the
32 advisory board shall report to the Governor, and to the Legislature
33 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its findings
34 and recommendations. The advisory board shall terminate upon
35 submission of the report.
- 36
- 37 ¹[21. This act] 27. a. Sections 1 through 24 and section 26¹
38 shall take effect on the first day of the thirteenth month after
39 enactment, except that the Chief Administrator of the New Jersey
40 Motor Vehicle Commission may take any anticipatory
41 administrative action in advance as shall be necessary for the
42 implementation of this act.
- 43 ¹b. Section 25 of this act shall take effect on the first day of the
44 sixth month after enactment.
- 45 c.¹ Section ¹[20] 26¹ of this act shall expire upon submission of
46 the advisory board's report required to be prepared and submitted
47 pursuant to subsection h. of section ¹[20] 26¹ of this act.

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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.