

[First Reprint]

ASSEMBLY, No. 4486

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED AUGUST 10, 2020

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SYNOPSIS

Authorizes MVC to use stored driver's license or identification card photo for longer than eight years; limits certain appointment times at MVC locations to senior citizens and persons with certain medical conditions during COVID-19 pandemic.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on August 24, 2020, with amendments.

(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning ¹driver's licenses and identification cards and¹
2 temporary service measures for certain New Jersey Motor
3 Vehicle Commission customers in response to the COVID-19
4 public health emergency and state of emergency ¹, and amending
5 P.L.1979, c.261 and P.L.1980, c.47¹.

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

9
10 ¹**[**1. Notwithstanding the provisions of R.S.39:3-10 and section
11 4 of P.L.1980, c.47 (C.39:3-29.5) to the contrary, any holder of a
12 driver's license or non-driver identification card, which shall expire
13 on or before January 1, 2022, and who is 65 years of age or older on
14 the effective date of this act shall not be required to renew the
15 driver's license or identification card until January 2, 2022.**]**¹

16
17 ¹1. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read
18 as follows:

19 1. In addition to the requirements for the form and content of a
20 motor vehicle driver's license under R.S.39:3-10 and a probationary
21 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on
22 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),
23 each initial New Jersey license, each renewal of a New Jersey
24 driver's license, and each probationary license shall have a digitized
25 photograph of the licensee. All licenses issued on and after January
26 1, 2000 shall be valid for a period of 48 calendar months. However,
27 the chief administrator may, at the chief administrator's discretion,
28 issue licenses and endorsements that shall expire on a date fixed by
29 the chief administrator. The fee for those licenses or endorsements
30 shall be fixed in amounts proportionately less or greater than the fee
31 otherwise established. Notwithstanding the provisions of this
32 section to the contrary, a person 70 years of age or older may elect
33 to have a license issued for a period of two or four years, which
34 election shall not be altered by the chief administrator. The fee for
35 the two-year standard license shall be \$9, in addition to the fee for a
36 digitized photograph established in section 4 of P.L.2001, c.391
37 (C.39:3-10f4). The fee for a two-year REAL ID license shall be
38 \$14.50, in addition to the fee for a digitized photograph established
39 in section 4 of P.L.2001, c.391 (C.39:3-10f4). The chief
40 administrator may, for good cause, extend a license and any
41 endorsement thereon beyond their expiration dates for periods not
42 to exceed 12 additional months. The chief administrator may
43 extend the expiration date of a license and any endorsement thereon
44 without payment of a proportionate fee when the chief administrator

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 ATR committee amendments adopted August 24, 2020.

1 determines that the extension is necessary for good cause. If any
2 license and endorsements thereon are so extended, the licensee shall
3 pay upon renewal the full license fee for the period fixed by the
4 chief administrator as if no extension had been granted.

5 Each initial driver's license issued to a person under the age of
6 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
7 shall be conspicuously distinct, through the use of color and design,
8 from the driver's licenses issued to persons 21 years of age or older.
9 The chief administrator, in consultation with the Superintendent of
10 State Police, shall determine the color and the manner in which the
11 license is designed to achieve this result. The license shall bear the
12 words "UNDER 21" in a conspicuous manner. The chief
13 administrator shall provide that, upon attaining the age of 21, a
14 licensee shall be issued a replacement driver's license or a new
15 license, as appropriate. The fee for a replacement license shall be
16 \$5 in addition to the digitized photograph fee.

17 As **【conditions】** a condition for the renewal of a driver's license,
18 the chief administrator shall provide that the photograph of a
19 licensee be updated, except that the chief administrator may elect to
20 use a stored photograph **【to renew a license for a period not**
21 **exceeding four additional years】** for two consecutive four-year
22 renewal periods for \$18 for a standard license per renewal and \$29
23 for a REAL ID license per renewal, in addition to the digitized
24 photograph fee. The chief administrator shall not use a stored
25 photograph for more than 12 years except as otherwise provided in
26 this section.

27 The holder of a standard basic driver's license who is 65 years
28 of age or older shall not be required to update the person's driver's
29 license photograph upon renewal and shall be eligible to use a
30 stored photograph for each standard driver's license renewal.

31 In addition to any other extension, the chief administrator shall
32 allow a person to use a stored photograph to renew a license for a
33 period not exceeding one year if the person presents documentation
34 by a licensed physician that the person is undergoing medical
35 treatment for an illness and the treatment results in temporary
36 changes to the person's physical characteristics. The fee for this
37 extension shall be \$18 for a standard license and \$29 for a REAL
38 ID license and the person shall not be required to pay the digitized
39 photograph fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-
40 10f4).

41 Whenever a person has reconstructive or cosmetic surgery which
42 significantly alters the person's facial features, the person shall
43 notify the chief administrator who may require the photograph of
44 the licensee to be updated for \$5 in addition to the digitized
45 photograph fee.

46 Nothing in this section shall be construed to alter or change any
47 expiration date on any New Jersey driver's license issued prior to

1 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,
2 unless a licensee's driving privileges are otherwise suspended or
3 revoked, except as provided in R.S.39:3-10, that license shall
4 remain valid until that expiration date.

5 Specific use of the driver's license and any information stored or
6 encoded, electronically or otherwise, in relation thereto shall be in
7 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
8 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.
9 Notwithstanding the provisions of any other law to the contrary, the
10 digitized photograph or any access thereto or any use thereof shall
11 not be sold, leased, or exchanged for value.¹

12 (cf: P.L.2019, c.271, s.10)

13

14 ¹2. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read
15 as follows:

16 4. a. Except as provided in subsection b. of this section, each
17 original identification card authorized by section 2 of P.L.1980,
18 c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise
19 provided, expire during the fourth calendar year following its date
20 of issuance and on the same calendar day as the person's date of
21 birth. If the date of birth of the bearer of the identification card
22 does not correspond to a calendar day of the fourth calendar year,
23 the identification card shall expire on the last day of the birth month
24 of the bearer of the card.

25 The identification card shall be renewable upon the request of
26 the bearer of the card, pursuant to terms of license renewal
27 established by the New Jersey Motor Vehicle Commission, and
28 upon payment of a fee as required by section 6 of P.L.1980, c.47
29 (C.39:3-29.7). An identification card issued pursuant to P.L.1980,
30 c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a
31 disability shall be valid for the life of the holder unless canceled by
32 the holder. Cards issued prior to October 16, 1989 and valid upon
33 the effective date of P.L.1990, c.30 shall be valid for the life of the
34 holder unless canceled by the holder. Cards issued to persons with
35 blindness or disabilities between October 16, 1989 and the effective
36 date of P.L.1990, c.30, and which are valid on the effective date of
37 P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life
38 of the holder unless canceled by the holder, upon presentation of
39 proof that the person's blindness or disability existed at the time of
40 the original application. The chief administrator is authorized to
41 require periodic verification of information included on any
42 identification card issued for or valid for the life of the holder.
43 Nothing in this section shall be construed to alter or change any
44 expiration date on any New Jersey identification card issued prior to
45 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any
46 such identification card shall remain valid until its expiration date.

1 As a condition for the renewal of an identification card, the chief
2 administrator shall provide that the photograph of a holder of an
3 identification card be updated, except that the chief administrator
4 may elect to use a stored photograph for two consecutive four-year
5 renewal periods. The chief administrator shall not use a stored
6 photograph for more than 12 years except as otherwise provided in
7 this section. The fee shall be \$18 for a standard identification card
8 per renewal and \$29 for a REAL ID identification card per renewal,
9 in addition to the digitized photograph fee.

10 The holder of a standard identification card who is 65 years of
11 age or older shall not be required to update the person's
12 identification card photograph upon renewal and shall be eligible to
13 use a stored photograph for each standard identification card
14 renewal.

15 b. If the chief administrator issues a REAL ID identification
16 card to a person who has demonstrated authorization to be present
17 in the United States for a period of time shorter than the standard
18 periods of identification cards, the chief administrator shall fix the
19 expiration date of the REAL ID identification card at a date based
20 on the period in which the person is authorized to be present in the
21 United States under federal immigration laws. The chief
22 administrator may renew such REAL ID identification card only if
23 it is demonstrated that the person's continued presence in the United
24 States is authorized under federal law.¹

25 (cf: P.L.2019, c.271, s.17)

26
27 ¹~~2. The~~ 3. (New section) During the public health emergency
28 and state of emergency declared on March 9, 2020 by the Governor,
29 pursuant to Executive Order No. 103 and extended, where
30 applicable, by subsequent executive orders, the¹ Chief
31 Administrator of the New Jersey Motor Vehicle Commission shall
32 reserve one day per week ¹or a certain time each day or each week¹,
33 to be determined by the chief administrator, at ¹~~all~~ certain¹
34 commission agency locations¹, to be determined by the chief
35 administrator,¹ to offer appointments ¹~~for service~~¹ exclusively to
36 ¹the following individuals to register a newly purchased, newly
37 acquired, or transferred motor vehicle:

38 (1) any person who is 65 years of age or older; and

39 (2)¹ any customers who, due to a medical condition diagnosed by
40 a licensed medical doctor or licensed osteopathic physician and
41 evidenced by proof, in a form prescribed by the chief administrator,
42 cannot, as a result of the medical condition, wear a mask or face
43 covering¹, during the public health emergency and state of
44 emergency declared on March 9, 2020 by the Governor, pursuant to
45 Executive Order No. 103 and extended, where applicable, by
46 subsequent executive orders¹.

1 ¹~~3.~~^{4.} This act shall take effect immediately and ¹section 3
2 of this act¹ shall expire ¹**[on January 2, 2022]** at the end of the
3 public health emergency caused by the Coronavirus disease 2019
4 (COVID-19), either: upon the expiration of Executive Order No.
5 103 of 2020 and any subsequent executive orders extending the
6 public health emergency; or, in the absence of a rescission by the
7 Governor, upon the termination in any other manner of the declared
8 public health emergency¹.