

## **ASSEMBLY, No. 1723**

# **STATE OF NEW JERSEY**

INTRODUCED MARCH 18, 1996

# By Assemblymen COHEN and IMPREVEDUTO

1   **AN ACT** concerning the resale of personal information released by the  
2   Division of Motor Vehicles and supplementing chapter 3 of Title 39  
3   of the Revised Statutes.

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

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8       1. As used in this act, "personal information" means information  
9      that identifies an individual, including an individual's photograph,  
10     social security number, driver license number, name, address,  
11     telephone number, and medical or disability information, but does not  
12     include information on vehicular accidents, driving violations, and the  
13     individual's driving status.

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15       2. Personal information sold by the Division of Motor Vehicles  
16 is not intended for resale or rental once released, sold, or otherwise  
17 distributed by the division.

18 A person who, in the course of business, knowingly advertises or  
19 offers for resale or resells, rents, possesses with intent to resell, or  
20 otherwise disposes of personal information for commercial advantage  
21 or private financial gain, once it is released, sold, or otherwise  
22 distributed by the Division of Motor Vehicles is guilty of a crime of  
23 the fourth degree and, in addition to any penalties which may be  
24 imposed for this offense, shall be subject to a fine not to exceed three  
25 times the amount received for the resale or rental.

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27       3. This act shall take effect August 1, 1996.

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## STATEMENT

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32 The State Treasurer is reportedly planning to sell personal  
33 information from the Division of Motor Vehicles (DMV) driver and  
34 vehicle data base to direct mail advertisers and other commercial  
35 interests beginning in July, 1996. This bill is intended to discourage the  
36 resale or rental for commercial advantage of any such information  
37 about New Jersey licensed drivers that is sold or otherwise released by

1 the DMV. It is designed to limit the extent to which the privacy of  
2 the State's motorists is undermined and to reduce the volume of "junk  
3 mail" reaching their mailboxes.

4 A person who violates this bill's prohibition on the resale or rental  
5 of personal information, or the offering or advertising of it for resale  
6 or rental, would be guilty of a fourth degree crime and subject to a  
7 fine of three times the resale or rental amount.

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12 Prohibits resale and rental of personal information released by DMV.