

ASSEMBLY, No. 1890

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblywomen WEINBERG, BUONO, Friscia, Turner,  
Gill, Cruz-Perez and Quigley

1 AN ACT concerning the release of driver information and  
2 supplementing chapter 3 of Title 39 of the Revised Statutes.

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

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7 1. a. The Division of Motor Vehicles shall not distribute, sell or  
8 otherwise make available personal information in its driver's license  
9 or motor vehicle registration records pertaining to a person who has  
10 requested, in a form and manner as specified by the director in  
11 regulations, that this information be suppressed.

12 The division shall prepare and distribute with applications for a  
13 driver's license or motor vehicle registration a form which may be used  
14 by the applicant to request the division to prohibit the release of any  
15 personal information pertaining to the applicant.

16 b. Personal information, as used in this act, means information that  
17 identifies an individual, including the individual's photograph, social  
18 security number, driver identification number, name, address,  
19 telephone number or medical or disability information.

20 c. The provisions of this act shall not apply to personal information  
21 provided:

22 (1) to persons authorized by court order to receive personal  
23 information;

24 (2) to federal, state or local governmental agencies for legitimate  
25 governmental or law enforcement purposes; and

26 (3) when authorized by regulations adopted by the director, for  
27 credit transactions, the issuance or renewal of automobile insurance  
28 policies, consumer product recalls, the reporting or litigation of claims  
29 involving motor vehicles, and news reporting by a member of the news  
30 media who holds valid press credentials.

31 d. The director may adopt regulations necessary to carry out the  
32 purposes of this act, pursuant to the "Administrative Procedure Act,"  
33 P.L.1968, c.410 (C.52:14B-1 et seq.).

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35 2. This act shall take effect on the first day of the sixth month

1 following enactment, except that subsection d. of section 1 shall take  
2 effect immediately.

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#### STATEMENT

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7 The purpose of this bill is to safeguard the confidentiality of motor  
8 vehicle records maintained by the Division of Motor Vehicles (DMV)  
9 in the Department of Transportation. It prohibits DMV from selling,  
10 distributing or otherwise making available personal information in its  
11 files upon the request of the subject of that information. DMV would  
12 be required to include a form in license and registration applications  
13 that would allow the applicant to prohibit the distribution of his  
14 personal information.

15 Personal information is defined by the bill as information that  
16 identifies an individual, including the individual's photograph, social  
17 security number, driver identification number, name, address,  
18 telephone number or medical or disability information.

19 DMV has recently indicated it is considering a plan to sell  
20 information from its files to commercial interests as a means of raising  
21 revenue. This bill would allow motorists who oppose this use of  
22 motor vehicle information a means to protect their privacy. The bill  
23 also would curtail the current DMV practice of providing the name  
24 and address of a motor vehicle owner to any person who submits the  
25 person's license plate number along with a fee of \$8. This practice  
26 exposes motorists to risks posed by stalkers, would-be burglars and  
27 others with no legitimate right to this information.

28 The bill would allow DMV to release personal information for  
29 certain legitimate uses, including law enforcement and other  
30 governmental purposes, credit transactions, automobile insurance  
31 purposes and motor vehicle recalls.

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Permits motorist to suppress release of personal information by DMV.