

SENATE, No. 473

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator BASSANO

1 AN ACT concerning the release of driver records and supplementing  
2 chapter 5 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. As used in this act:

8 "Rental agent" means a natural person, corporation, partnership or  
9 other entity engaged in the business of renting or leasing motor  
10 vehicles.

11 b. Upon the request of a rental agent that has registered with the  
12 division pursuant to subsection c. of this section, or an employee or  
13 authorized agent of such rental agent, the director may release  
14 information in the division's records about a person seeking to rent or  
15 lease a motor vehicle. This information shall consist of whether the  
16 person has a valid driver's license and whether the person's driving  
17 privileges are denied, suspended or revoked. An authorized agent  
18 requesting information pursuant to this subsection shall be approved  
19 by the director.

20 c. A rental agent which seeks information pursuant to subsection  
21 b. of this section shall annually register with the director, providing  
22 proof that it is a bonafide rental agent and such other information as  
23 the director may deem appropriate.

24 d. A rental agent which seeks and receives information pursuant to  
25 subsection b. of this section shall refuse to rent or lease a motor  
26 vehicle to a person who does not possess a valid driver's license or a  
27 person whose license is denied or revoked.

28 e. A rental agent or employee or authorized agent of such rental  
29 agent, shall notify a person before requesting information on that  
30 person's driving record pursuant to this act. Information obtained by  
31 the rental agent shall be used for the sole purpose provided by  
32 subsection d. of this section. The use of this information for any other  
33 purpose shall be punishable by a penalty of not less than \$500 or more  
34 than \$1,000.

35 f. The director may impose a fee of \$2 for each request for  
36 information under this act.

1       2. This act shall take effect on the first day of the fourth month  
2 following enactment

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STATEMENT

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7       This bill allows motor vehicle rental and leasing businesses and an  
8 employee or authorized agent of a rental agent to obtain information  
9 regarding the driving records of persons to whom they rent or lease  
10 vehicles. It authorizes the Director of the Division of Motor Vehicles  
11 (DMV) in the Department of Law and Public Safety to provide this  
12 information to bona fide rental and leasing businesses that are  
13 registered with the division. An authorized agent requesting  
14 information shall be authorized by the director.

15       The bill would permit the rental or leasing business which has  
16 requested information from the DMV to assess the driving record to  
17 determine the driver's risk of violating a motor vehicle law, causing or  
18 becoming involved in an accident, or damaging a rented or leased  
19 motor vehicle. The business would be allowed to refuse to rent or  
20 lease a motor vehicle to a person whom it determines to represent an  
21 unacceptably high risk. The business would be required to notify a  
22 person before seeking access to the driving record and to use the  
23 information obtained solely to assess that record in connection with a  
24 vehicle rental or lease. Any other use of the information would be  
25 punishable by a fine of not less than \$500 or more than \$1,000.

26       The bill further authorizes DMV to charge a fee not to exceed \$2  
27 for each information request to defray its administrative costs. This  
28 fee could be increased by DMV after four years if necessary to defray  
29 the actual cost of administering the provisions of the bill.

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34 Gives car rental firms access to driving records.