

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 473

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 22, 1996

The Senate Law and Public Safety Committee favorably reports with committee amendments Senate Bill No. 473.

As amended and released by the committee, this bill allows motor vehicle rental and leasing businesses and an employee or authorized agent of a rental agent to obtain information regarding the driving records of persons to whom they rent or lease vehicles. It authorizes the Director of the Division of Motor Vehicles (DMV) in the Department of Transportation to provide this information to bona fide rental and leasing businesses that are registered with the division.

The bill would permit the rental or leasing business which has requested information from the DMV to ascertain whether the person has a valid driver's license and whether the person's driving privileges are denied, suspended or revoked. The business would be allowed to refuse to rent or lease a motor vehicle to a person who does not possess a valid driver's license or whose license is denied, suspended or revoked. The business would be required to notify a person before seeking access to the driving record and to use the information obtained solely to assess that record in connection with a vehicle rental or lease. Any other use of the information would be punishable by a fine of not less than \$500 or more than \$1,000.

The committee amended the bill to authorize the DMV to charge a fee not to exceed \$6 for each information request to defray its administrative costs. As introduced, the bill authorized the DMV to charge a fee of \$2.

The committee further amended the bill to provide that if the rental agent refuses to rent or lease a motor vehicle based upon the information provided by DMV, a copy of that information must be provided to the customer. The committee amendments also provide that evidence of failure to obtain information concerning any driver record as permitted in the bill would not be admissible in any civil proceeding against a rental agent or employee or authorized agent of the rental agent.