

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 642

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 7, 1996

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 642.

This bill provides for limited confidentiality for certain motor vehicle information. Except as provided in this bill, a person who has access to motor vehicle registration records for law enforcement, governmental or business purposes would be prohibited from performing a registration plate number check. As defined in the bill, "registration plate number check" means identification by registration plate number of a natural person who is the owner or lessee of a motor vehicle bearing a particular registration plate number and disclosure of the name or address of the natural person.

Under the provisions of the bill, registration plate number checks could be performed only (1) for legitimate governmental or law enforcement purposes at the request of any federal, State or local government agency or any person authorized by such agency or (2) when authorized by regulations adopted by the Director of the Division of Motor Vehicles and approved by the Commissioner of Transportation for lawful business or private purposes including, but not limited to, credit transactions, the issuance or renewal of policies of insurance, consumer product recalls, the reporting or litigation of claims involving motor vehicles, news reporting by bona fide representatives of the news media or the lawful business needs of licensed private detectives.

A person who has access to registration plate number information also would be required to report any unauthorized use of this information to the Division of Motor Vehicles.

Currently, a person may obtain the name and address of a motor vehicle owner by submitting the vehicle's registration plate number to the Division of Motor Vehicles and paying \$8.

The committee amended the bill at the request of the Division of Motor Vehicles. The amendment provides that a person who knowingly obtains, discloses or uses personal information from a motor vehicle registration record for a purpose not permitted under the bill would be liable to the individual to whom the information pertains, who may bring a civil action in the Superior Court. The

court may award 1) actual damages, but not less than liquidated damages in the amount of \$2,500; (2) punitive damages upon proof of willful or reckless disregard of the law; (3) reasonable attorney's fees and other litigation costs reasonably incurred; and (4) such other preliminary and equitable relief as the court determines to be appropriate. As introduced, the bill provided that a person who violated the bill provisions would be liable to a civil penalty of up to \$2,000 and any appropriate disciplinary sanctions.

It is the committee's understanding that the provision of personal information on motor vehicle owners to persons without a legitimate need for it has led to abuses. This bill is intended address these abuses and to prevent the use of such checks for purposes of stalking and harassment.