

ASSEMBLY, No. 5392

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires MVC to allow certain visa holders to renew driver's licenses and identification cards online and by mail.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/2021)

1 AN ACT concerning driver's license and identification card renewal
2 and amending R.S.39:3-10, P.L.1979, c.261, and P.L.1980, c.47.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. A person shall not drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

14 A person under 18 years of age shall not be issued a basic license
15 to drive motor vehicles, and a person shall not be issued a validated
16 permit, including a validated examination permit, until the applicant
17 has passed a satisfactory examination and other requirements as to
18 the applicant's ability as an operator. The examination shall
19 include: a test of the applicant's vision; the applicant's ability to
20 understand traffic control devices; the applicant's knowledge of safe
21 driving practices, including the dangers of driving a vehicle in an
22 aggressive manner, which shall include, but not be limited to,
23 unexpectedly altering the speed of a vehicle, making improper or
24 erratic traffic lane changes, disregarding traffic control devices,
25 failing to yield the right of way, and following another vehicle too
26 closely; the applicant's knowledge of operating a motor vehicle in a
27 manner that safely shares the roadway with pedestrians, cyclists,
28 skaters, riders of motorized-scooters, and other non-motorized
29 vehicles, which shall include, but not be limited to, passing a cyclist
30 on the roadway, recognizing bicycle lanes, navigating intersections
31 with pedestrians and cyclists, and exiting a vehicle without
32 endangering pedestrians and cyclists; the applicant's knowledge of
33 the effects that ingestion of alcohol or drugs has on a person's
34 ability to operate a motor vehicle; the applicant's knowledge of the
35 dangers of carbon monoxide poisoning from motor vehicles and
36 techniques for the safe operation and proper maintenance of a motor
37 vehicle; the applicant's knowledge of portions of the mechanism of
38 motor vehicles as is necessary to insure the safe operation of a
39 vehicle of the kind or kinds indicated by the applicant; and the
40 applicant's knowledge of the laws and ordinary usages of the road.
41 The examination shall be made available in English and each of the
42 three languages, other than English, most commonly spoken in the
43 State, as determined by the chief administrator. The chief
44 administrator shall periodically, and at least every five years, verify
45 the three languages, other than English, most commonly spoken in
46 the State.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 A person shall not sit for an examination for any permit without
2 exhibiting photo identification deemed acceptable by the
3 commission, unless that person is a high school student
4 participating in a course of automobile driving education approved
5 by the State Department of Education and conducted in a public,
6 parochial, or private school of this State, pursuant to section 1 of
7 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
8 written law knowledge examination for any person 18 years of age
9 or older possessing a valid driver's license issued by any other state,
10 the District of Columbia, or the United States Territories of
11 American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or
12 the Virgin Islands. The commission shall be required to provide
13 that person with a booklet that highlights those motor vehicle laws
14 unique to New Jersey. A road test shall be required for a
15 probationary license and serve as a demonstration of the applicant's
16 ability to operate a vehicle of the class designated. During the road
17 test, an applicant may use a rear visibility system, parking sensors,
18 or other technology installed on the motor vehicle that enables the
19 applicant to view areas directly behind the vehicle or alerts the
20 applicant of obstacles while parking.

21 A person shall not sit for a road test unless that person exhibits
22 photo identification deemed acceptable by the commission. A high
23 school student who has completed a course of behind-the-wheel
24 automobile driving education approved by the State Department of
25 Education and conducted in a public, parochial, or private school of
26 this State, who has been issued a special learner's permit pursuant to
27 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,
28 shall not be required to exhibit photo identification in order to sit
29 for a road test. The commission may waive the road test for any
30 person 18 years of age or older possessing a valid driver's license
31 issued by any other state, the District of Columbia, or the United
32 States Territories of American Samoa, Guam, Northern Mariana
33 Islands, Puerto Rico, or the Virgin Islands. The road test shall be
34 given on public streets, where practicable and feasible, but may be
35 preceded by an off-street screening process to assess basic skills.
36 The commission shall approve locations for the road test which
37 pose no more than a minimal risk of injury to the applicant, the
38 examiner, and other motorists. New locations for the road test shall
39 not be approved unless the test can be given on public streets.

40 A person who successfully completes a road test for a
41 motorcycle license or a motorcycle endorsement when operating a
42 motorcycle or motorized scooter with an engine displacement of
43 less than 231 cubic centimeters shall be issued a motorcycle license
44 or endorsement restricting the person's operation of the vehicles to
45 any motorcycle with an engine displacement of 500 cubic
46 centimeters or less. A person who successfully completes a road
47 test for a motorcycle license or motorcycle endorsement when
48 operating a motorcycle with an engine displacement of 231 or more

1 cubic centimeters shall be issued a motorcycle license or
2 endorsement without any restriction as to engine displacement.
3 Any person who successfully completes an approved motorcycle
4 safety education course established pursuant to the provisions of
5 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
6 motorcycle license or endorsement without restriction as to engine
7 displacement.

8 A person issued a motorcycle license pursuant to this section
9 may be issued a standard motorcycle license or a REAL ID
10 motorcycle license. The chief administrator shall require an
11 applicant for a standard motorcycle license to provide as proof of
12 the applicant's identity, age, and residence primary and secondary
13 documents, with which the chief administrator shall attribute point
14 values in accordance with the point based identification verification
15 program established pursuant to section 28 of P.L.2003, c.13
16 (C.39:2A-28). The point total required to prove the identity of an
17 applicant for the standard motorcycle license shall be the same for
18 every applicant, regardless of immigration status. In the event that
19 the commission changes the point total threshold, the requirement
20 that every applicant reach the same point total threshold shall
21 remain in effect.

22 In addition to requiring the person to submit satisfactory proof of
23 identity and age, the commission shall require the person to
24 provide:

25 (1) as a condition for obtaining a standard motorcycle license,
26 proof of the person's social security number and one document
27 providing satisfactory proof that the person is a New Jersey
28 resident.

29 If the person does not have a social security number, the person
30 shall either:

31 (a) provide satisfactory proof of an Individual Taxpayer
32 Identification Number; or

33 (b) indicate, in a manner prescribed by the commission and
34 consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o
35 et al.), that the person is not eligible to receive a social security
36 number; or

37 (2) as a condition for obtaining a REAL ID motorcycle license:
38 two documents providing satisfactory proof that the person is a New
39 Jersey resident; proof of the person's social security number or
40 verification of ineligibility for a social security number in
41 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
42 acts amendatory or supplementary thereto, and any federal
43 regulations adopted thereunder; and proof that the person's presence
44 in the United States is authorized under federal law.

45 A standard motorcycle license shall indicate that the license shall
46 not be accepted as identification for an official purpose, as that term
47 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any

1 acts amendatory or supplementary thereto, and any federal
2 regulations adopted thereunder.

3 The commission shall issue a standard basic driver's license or a
4 REAL ID basic driver's license to operate a motor vehicle other
5 than a motorcycle to a person over 18 years of age who previously
6 has not been licensed to drive a motor vehicle in this State or
7 another jurisdiction only if that person has: (1) operated a passenger
8 automobile in compliance with the requirements of this Title for not
9 less than one year, not including any period of suspension or
10 postponement, from the date of issuance of a probationary license
11 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
12 assessed more than two motor vehicle points; (3) not been convicted
13 in the previous year for a violation of R.S.39:4-50, section 2 of
14 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
15 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,
16 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
17 motor vehicle-related violation the commission determines to be
18 significant and applicable pursuant to regulation; and (4) passed an
19 examination of the applicant's ability to operate a motor vehicle
20 pursuant to this section.

21 The commission shall expand the driver's license examination by
22 20 percent. The additional questions to be added shall consist solely
23 of questions developed in conjunction with the Department of
24 Health concerning the use of alcohol or drugs as related to highway
25 safety. The commission shall develop, in conjunction with the
26 Department of Health, supplements to the driver's manual which
27 shall include information necessary to answer any question on the
28 driver's license examination concerning alcohol or drugs as related
29 to highway safety.

30 Up to 20 questions may be added to the examination on subjects
31 to be determined by the commission that are of particular relevance
32 to youthful drivers, including the importance of operating a motor
33 vehicle in a manner that safely shares the roadway with pedestrians,
34 cyclists, skaters, riders of motorized-scooters, and other non-
35 motorized vehicles, which shall include, but not be limited to,
36 passing a cyclist on the roadway, recognizing bicycle lanes,
37 navigating intersections with pedestrians and cyclists, and exiting a
38 vehicle without endangering pedestrians and cyclists, and the
39 dangers of driving a vehicle in an aggressive manner, which shall
40 include, but not be limited to, unexpectedly altering the speed of a
41 vehicle, making improper or erratic traffic lane changes,
42 disregarding traffic control devices, failing to yield the right of way,
43 and following another vehicle too closely, after consultation with
44 the Director of the Division of Highway Traffic Safety in the
45 Department of Law and Public Safety.

46 The commission shall expand the driver's license examination to
47 include a question asking whether the applicant is aware of the
48 provisions of the "Revised Uniform Anatomical Gift Act,"

1 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on
2 the driver's license the intention to make a donation of body organs
3 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

4 The commission shall expand the driver's license examination to
5 include a question asking whether the applicant is aware of the
6 dangers of failing to comply with this State's motor vehicle traffic
7 laws and the "STOP for Nikhil Safety Pledge" set forth in
8 subsection e. of R.S.39:3-41.

9 The commission shall expand the driver's license examination to
10 include questions concerning the dangers of carbon monoxide
11 poisoning from motor vehicles and techniques for the safe operation
12 and proper maintenance of a motor vehicle.

13 Any person applying for a driver's license to operate a motor
14 vehicle or motorized bicycle in this State shall surrender to the
15 commission any current driver's license issued to the applicant by
16 another state or jurisdiction upon the applicant's receipt of a driver's
17 license for this State. The commission shall refuse to issue a
18 driver's license if the applicant fails to comply with this provision.
19 An applicant for a permit or license who is under 18 years of age,
20 and who holds a permit or license for a passenger automobile issued
21 by another state or country that is valid or has expired within a time
22 period designated by the commission, shall be subject to the permit
23 and license requirements and penalties applicable to State permit
24 and license applicants who are of the same age; except that if the
25 other state or country has permit or license standards substantially
26 similar to those of this State, the credentials of the other state or
27 country shall be acceptable.

28 The commission shall create classified licensing of drivers
29 covering the following classifications:

30 a. Motorcycles, except that for the purposes of this section,
31 motorcycle shall not include any three-wheeled motor vehicle
32 equipped with a single cab with glazing enclosing the occupant,
33 seats similar to those of a passenger vehicle or truck, seat belts and
34 automotive steering or any vehicle defined as a motorcycle pursuant
35 to R.S.39:1-1 having a motor with a maximum piston displacement
36 that is less than 50 cubic centimeters or a motor that is rated at no
37 more than 1.5 brake horsepower with a maximum speed of no more
38 than 35 miles per hour on a flat surface.

39 b. Omnibuses as classified by R.S.39:3-10.1 and school buses
40 classified under N.J.S.18A:39-1 et seq.

41 c. (Deleted by amendment, P.L.1999, c.28)

42 d. All motor vehicles not included in classifications a. and b. A
43 license issued pursuant to this classification d. shall be referred to
44 as the "basic driver's license" and may be issued as a standard basic
45 driver's license or a REAL ID basic driver's license.

46 Every applicant for a license under classification b. shall be a
47 holder of a basic driver's license. Any issuance of a license under

1 classification b. shall be by endorsement on the person's basic
2 driver's license.

3 A driver's license for motorcycles may be issued separately, but
4 if issued to the holder of a basic driver's license, it shall be by
5 endorsement on the person's basic driver's license. The holder of a
6 basic driver's license or a separately issued motorcycle license shall
7 be authorized to operate a motorcycle having a motor with a
8 maximum piston displacement that is less than 50 cubic centimeters
9 or a motor that is rated at no more than 1.5 brake horsepower with a
10 maximum speed no more than 35 miles per hour on a flat surface.

11 The commission, upon payment of the lawful fee and after it or a
12 person authorized by it has examined the applicant and is satisfied
13 of the applicant's ability as an operator, may, in its discretion, issue
14 a license to the applicant to drive a motor vehicle. The license shall
15 authorize the person to drive any registered vehicle, of the kind or
16 kinds indicated.

17 The license shall expire, except as otherwise provided, during the
18 fourth calendar year following the date in which the license was
19 issued and on the same calendar day as the person's date of birth. If
20 the person's date of birth does not correspond to a calendar day of
21 the fourth calendar year, the license shall expire on the last day of
22 the person's birth month.

23 The commission may, at its discretion and for good cause shown,
24 issue licenses that expire on a date fixed by it. If the commission
25 issues a REAL ID basic driver's license or REAL ID motorcycle
26 license to a person who has demonstrated authorization to be
27 present in the United States for a period of time shorter than the
28 standard period of the license, the commission shall fix the
29 expiration date of the license at a date based on the period in which
30 the person is authorized to be present in the United States under
31 federal immigration laws. The commission may renew the person's
32 REAL ID basic driver's license or REAL ID motorcycle license
33 only if it is demonstrated that the person's continued presence in the
34 United States is authorized under federal law. The fee for licenses
35 with expiration dates fixed by the commission shall be fixed by the
36 commission in amounts proportionately less or greater than the fee
37 herein established.

38 The commission shall allow a person with an unexpired,
39 federally issued G-4 visa to renew the person's basic driver's
40 license or motorcycle license online and by mail, provided that the
41 person is eligible to use a stored photograph to renew the basic
42 driver's license or motorcycle license pursuant to the provisions of
43 section 1 of P.L.1979, c.261 (C.39:3-10f).

44 The required fee for a license for the license period shall be as
45 follows, subject to adjustment pursuant to section 16 of P.L.2007,
46 c.335 (C.39:2A-36.1):

1 Standard motorcycle license or endorsement: \$18.

2 REAL ID motorcycle license: \$29.

3 Omnibus or school bus endorsement: \$18.

4 Standard basic driver's license: \$18.

5 REAL ID basic driver's license: \$29.

6 The commission shall waive the payment of fees for issuance of
7 omnibus endorsements whenever an applicant establishes to the
8 commission's satisfaction that the applicant will use the omnibus
9 endorsement exclusively for operating omnibuses owned by a
10 nonprofit organization duly incorporated under Title 15 or 16 of the
11 Revised Statutes or Title 15A of the New Jersey Statutes.

12 The commission shall issue licenses for the following license
13 period on and after the first day of the calendar month immediately
14 preceding the commencement of the period, the licenses to be
15 effective immediately.

16 All applications for renewals of licenses shall be made in a
17 manner prescribed by the commission and in accordance with
18 procedures established by it.

19 The commission in its discretion may refuse to grant a permit or
20 license to drive motor vehicles to a person who is, in its estimation,
21 not a proper person to be granted a permit or license, but a defect of
22 the applicant shall not debar the applicant from receiving a permit
23 or license unless it can be shown by tests approved by the
24 commission that the defect incapacitates the applicant from safely
25 operating a motor vehicle.

26 A person issued a basic driver's license pursuant to this section
27 may be issued a standard basic driver's license or a REAL ID basic
28 driver's license. The chief administrator shall require an applicant
29 for a standard basic driver's license to provide as proof of the
30 applicant's identity, age, and residence primary and secondary
31 documents, with which the chief administrator shall attribute point
32 values in accordance with the point based identification verification
33 program established pursuant to section 28 of P.L.2003, c.13
34 (C.39:2A-28). The point total required to prove the identity of an
35 applicant for the standard basic driver's license shall be the same for
36 every applicant, regardless of immigration status. In the event that
37 the commission changes the point total threshold, the requirement
38 that every applicant reach the same point total threshold shall
39 remain in effect.

40 In addition to requiring an applicant for a driver's license to
41 submit satisfactory proof of identity and age, the commission also
42 shall require the applicant to provide:

43 (1) as a condition for obtaining a permit and standard basic
44 driver's license, proof of the person's social security number and
45 one document providing satisfactory proof that the applicant is a
46 New Jersey resident. If the person does not have a social security
47 number, the person shall either:

1 (a) provide satisfactory proof of an Individual Taxpayer
2 Identification Number; or

3 (b) indicate, in a manner prescribed by the commission and
4 consistent with all other provisions of P.L.2019, c.271 (C.39:3-
5 10o et al.), that the person is not eligible to receive a social security
6 number; or

7 (2) as a condition for obtaining a REAL ID basic driver's
8 license: two documents providing satisfactory proof that the
9 applicant is a New Jersey resident; proof of the applicant's social
10 security number or verification of ineligibility for a social security
11 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
12 13, any acts amendatory or supplementary thereto, and any federal
13 regulations adopted thereunder; and proof that the applicant's
14 presence in the United States is authorized under federal law.

15 A standard basic driver's license shall indicate that the license
16 shall not be accepted as identification for an official purpose, as that
17 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
18 any acts amendatory or supplementary thereto, and any federal
19 regulations adopted thereunder.

20 If the commission has reasonable cause to suspect that any
21 document presented by an applicant pursuant to this section is
22 altered, false, or otherwise invalid, the commission shall refuse to
23 grant the permit or license until the time when the document may be
24 verified by the issuing agency to the commission's satisfaction.

25 A person violating this section shall be subject to a fine not
26 exceeding \$500 or imprisonment in the county jail for not more
27 than 60 days, but if that person has never been licensed to drive in
28 this State or any other jurisdiction, the applicant shall be subject to
29 a fine of not less than \$200 and, in addition, the court shall issue an
30 order to the commission requiring the commission to refuse to issue
31 a license to operate a motor vehicle to the person for a period of not
32 less than 180 days. The penalties provided for by this paragraph
33 shall not be applicable in cases where failure to have actual
34 possession of the operator's license is due to an administrative or
35 technical error by the commission.

36 Nothing in this section shall be construed to alter or extend the
37 expiration of any license issued prior to the date this amendatory
38 and supplementary act becomes operative.

39 Any documents and personal information, including an
40 applicant's photograph, obtained by the commission from an
41 applicant for a standard basic driver's license or standard
42 motorcycle license shall be confidential, shall not be considered a
43 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
44 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
45 access to government records, and shall not be disclosed by the
46 commission for any purpose related to Title 8 of the United States
47 Code without the informed consent of the applicant, a warrant
48 signed by a State or federal judge, or a lawful court order or

1 subpoena; except that nothing in this section shall be construed to
2 prohibit, or in any way restrict, any action where such prohibition
3 or restriction would be contrary to federal law. When responding to
4 a warrant, court order, or subpoena, the commission may disclose
5 only those records or information specifically requested in the
6 warrant, court order, or subpoena.

7 Possession of a standard basic driver's license or standard
8 motorcycle license issued pursuant to this section shall not be
9 considered evidence of an individual's citizenship or immigration
10 status and shall not be used as a basis for an investigation, arrest,
11 citation, prosecution, or detention.

12 Information regarding an applicant's Individual **【Tax】** Taxpayer
13 Identification Number, social security number, or ineligibility to
14 receive a social security number obtained by the commission for the
15 issuance of a standard motorcycle license or standard basic driver's
16 license pursuant to this section, shall not be considered a
17 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
18 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
19 access to government records, and shall not be disclosed by the
20 commission except where: (1) required by section 11 of P.L.1998,
21 c.1 (C.2A:17-56.60); (2) the applicant provides written informed
22 consent to the disclosure; (3) the requesting entity presents a
23 warrant signed by a State or federal judge, a lawful court order, or a
24 subpoena; (4) required by State or federal law, and to the extent that
25 the disclosure may be necessary to permit the State to participate in
26 the National Driver Register program, as set forth in 49 U.S.C.
27 s.30301 et seq.; or (5) the disclosure is in connection with an audit
28 or investigation of identity fraud, driver's license fraud, or non-
29 driver identification card fraud.

30 As used in this section:

31 "Parking sensors" means proximity sensors which use either
32 electromagnetic or ultrasonic technology and are designed to alert
33 the driver to obstacles while parking.

34 "Rear visibility system" means devices or components installed
35 on a motor vehicle at the time of manufacture that allow a forward
36 facing driver to view a visual image of the area directly behind the
37 vehicle.

38 (cf: P.L.2019, c.271, s.8)

39
40 2. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read
41 as follows:

42 1. In addition to the requirements for the form and content of a
43 motor vehicle driver's license under R.S.39:3-10 and a probationary
44 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on
45 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),
46 each initial New Jersey license, each renewal of a New Jersey
47 driver's license, and each probationary license shall have a digitized
48 photograph of the licensee. All licenses issued on and after January

1 1, 2000 shall be valid for a period of 48 calendar months. However,
2 the chief administrator may, at the chief administrator's discretion,
3 issue licenses and endorsements that shall expire on a date fixed by
4 the chief administrator. The fee for those licenses or endorsements
5 shall be fixed in amounts proportionately less or greater than the fee
6 otherwise established. Notwithstanding the provisions of this
7 section to the contrary, a person 70 years of age or older may elect
8 to have a license issued for a period of two or four years, which
9 election shall not be altered by the chief administrator. The fee for
10 the two-year standard license shall be \$9, in addition to the fee for a
11 digitized photograph established in section 4 of P.L.2001, c.391
12 (C.39:3-10f4). The fee for a two-year REAL ID license shall be
13 \$14.50, in addition to the fee for a digitized photograph established
14 in section 4 of P.L.2001, c.391 (C.39:3-10f4). The chief
15 administrator may, for good cause, extend a license and any
16 endorsement thereon beyond their expiration dates for periods not
17 to exceed 12 additional months. The chief administrator may
18 extend the expiration date of a license and any endorsement thereon
19 without payment of a proportionate fee when the chief administrator
20 determines that the extension is necessary for good cause. If any
21 license and endorsements thereon are so extended, the licensee shall
22 pay upon renewal the full license fee for the period fixed by the
23 chief administrator as if no extension had been granted.

24 Each initial driver's license issued to a person under the age of
25 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
26 shall be conspicuously distinct, through the use of color and design,
27 from the driver's licenses issued to persons 21 years of age or older.
28 The chief administrator, in consultation with the Superintendent of
29 State Police, shall determine the color and the manner in which the
30 license is designed to achieve this result. The license shall bear the
31 words "UNDER 21" in a conspicuous manner. The chief
32 administrator shall provide that, upon attaining the age of 21, a
33 licensee shall be issued a replacement driver's license or a new
34 license, as appropriate. The fee for a replacement license shall be
35 \$5 in addition to the digitized photograph fee.

36 As a condition for the renewal of a driver's license, the chief
37 administrator shall provide that the photograph of a licensee be
38 updated, except that the chief administrator may elect to use a
39 stored photograph for two consecutive four-year renewal periods for
40 \$18 for a standard license per renewal and \$29 for a REAL ID
41 license per renewal, in addition to the digitized photograph fee. For
42 a person who has demonstrated authorization to be present in the
43 United States for a period of time shorter than the standard period
44 of the driver's license, the chief administrator may elect to use a
45 stored photograph for the renewal of a driver's license for the
46 period of time in which the person is authorized to be present in the
47 United States under federal immigration laws. The chief

1 administrator shall not use a stored photograph for more than 12
2 years except as otherwise provided in this section.

3 The holder of a standard basic driver's license who is 65 years of
4 age or older shall not be required to update the person's driver's
5 license photograph upon renewal and shall be eligible to use a
6 stored photograph for each standard driver's license renewal.

7 In addition to any other extension, the chief administrator shall
8 allow a person to use a stored photograph to renew a license for a
9 period not exceeding one year if the person presents documentation
10 by a licensed physician that the person is undergoing medical
11 treatment for an illness and the treatment results in temporary
12 changes to the person's physical characteristics. The fee for this
13 extension shall be \$18 for a standard license and \$29 for a REAL
14 ID license and the person shall not be required to pay the digitized
15 photograph fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-
16 10f4).

17 Whenever a person has reconstructive or cosmetic surgery which
18 significantly alters the person's facial features, the person shall
19 notify the chief administrator who may require the photograph of
20 the licensee to be updated for \$5 in addition to the digitized
21 photograph fee.

22 Nothing in this section shall be construed to alter or change any
23 expiration date on any New Jersey driver's license issued prior to
24 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,
25 unless a licensee's driving privileges are otherwise suspended or
26 revoked, except as provided in R.S.39:3-10, that license shall
27 remain valid until that expiration date.

28 Specific use of the driver's license and any information stored or
29 encoded, electronically or otherwise, in relation thereto shall be in
30 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
31 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.
32 Notwithstanding the provisions of any other law to the contrary, the
33 digitized photograph or any access thereto or any use thereof shall
34 not be sold, leased, or exchanged for value.

35 (cf: P.L.2020, c.77, s.1)

36

37 3. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read
38 as follows:

39 4. a. Except as provided in subsection b. of this section, each
40 original identification card authorized by section 2 of P.L.1980,
41 c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise
42 provided, expire during the fourth calendar year following its date
43 of issuance and on the same calendar day as the person's date of
44 birth. If the date of birth of the bearer of the identification card
45 does not correspond to a calendar day of the fourth calendar year,
46 the identification card shall expire on the last day of the birth month
47 of the bearer of the card.

1 The identification card shall be renewable upon the request of
2 the bearer of the card, pursuant to terms of license renewal
3 established by the New Jersey Motor Vehicle Commission, and
4 upon payment of a fee as required by section 6 of P.L.1980, c.47
5 (C.39:3-29.7). An identification card issued pursuant to P.L.1980,
6 c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a
7 disability shall be valid for the life of the holder unless canceled by
8 the holder. Cards issued prior to October 16, 1989 and valid upon
9 the effective date of P.L.1990, c.30 shall be valid for the life of the
10 holder unless canceled by the holder. Cards issued to persons with
11 blindness or disabilities between October 16, 1989 and the effective
12 date of P.L.1990, c.30, and which are valid on the effective date of
13 P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life
14 of the holder unless canceled by the holder, upon presentation of
15 proof that the person's blindness or disability existed at the time of
16 the original application. The chief administrator is authorized to
17 require periodic verification of information included on any
18 identification card issued for or valid for the life of the holder.
19 Nothing in this section shall be construed to alter or change any
20 expiration date on any New Jersey identification card issued prior to
21 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any
22 such identification card shall remain valid until its expiration date.

23 As a condition for the renewal of an identification card, the chief
24 administrator shall provide that the photograph of a holder of an
25 identification card be updated, except that the chief administrator
26 may elect to use a stored photograph for two consecutive four-year
27 renewal periods. For a person who has demonstrated authorization
28 to be present in the United States for a period of time shorter than
29 the standard periods of identification cards, the chief administrator
30 may elect to use a stored photograph for the renewal of an
31 identification card for the period of time in which the person is
32 authorized to be present in the United States under federal
33 immigration laws. The chief administrator shall not use a stored
34 photograph for more than 12 years except as otherwise provided in
35 this section. The fee shall be \$18 for a standard identification card
36 per renewal and \$29 for a REAL ID identification card per renewal,
37 in addition to the digitized photograph fee.

38 The holder of a standard identification card who is 65 years of
39 age or older shall not be required to update the person's
40 identification card photograph upon renewal and shall be eligible to
41 use a stored photograph for each standard identification card
42 renewal.

43 b. If the chief administrator issues a REAL ID identification
44 card to a person who has demonstrated authorization to be present
45 in the United States for a period of time shorter than the standard
46 periods of identification cards, the chief administrator shall fix the
47 expiration date of the REAL ID identification card at a date based
48 on the period in which the person is authorized to be present in the

1 United States under federal immigration laws. The chief
2 administrator may renew such REAL ID identification card only if
3 it is demonstrated that the person's continued presence in the United
4 States is authorized under federal law.

5 c. The commission shall allow a person with an unexpired,
6 federally issued G-4 visa to renew the person's identification card
7 online and by mail, provided that the person is eligible to use a
8 stored photograph to renew the identification card pursuant to the
9 provisions of this section.

10 (cf: P.L.2020, c.77, s.2)

11

12 4. This act shall take effect immediately.

13

14

15 STATEMENT

16

17 This bill requires the New Jersey Motor Vehicle Commission to
18 allow a person with an unexpired, federally issued G-4 visa to
19 renew the person's basic driver's license, motorcycle license, and
20 identification card online and by mail so long as the person is
21 otherwise eligible to use a stored photograph to renew the license or
22 identification card.

23 The bill also clarifies that for a person who has demonstrated
24 authorization to be present in the United States for a period of time
25 shorter than the standard period of the license or identification card,
26 the chief administrator may elect to use a stored photograph for the
27 renewal of a license or identification card for the period of time in
28 which the person is authorized to be present in the United States
29 under federal immigration laws.