

[First Reprint]

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)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

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 reported by the Assembly Transportation and Independent Authorities Committee on May 12, 2021, with amendments.



(Sponsorship Updated As Of: 5/20/2021)

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**[**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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted May 12, 2021.

1 the three languages, other than English, most commonly spoken in
2 the State.

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

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

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

1 test for a motorcycle license or motorcycle endorsement when
2 operating a motorcycle with an engine displacement of 231 or more
3 cubic centimeters shall be issued a motorcycle license or
4 endorsement without any restriction as to engine displacement.
5 Any person who successfully completes an approved motorcycle
6 safety education course established pursuant to the provisions of
7 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
8 motorcycle license or endorsement without restriction as to engine
9 displacement.

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

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

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

31 If the person does not have a social security number, the person
32 shall either:

33 (a) provide satisfactory proof of an Individual Taxpayer
34 Identification Number; or

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

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

47 A standard motorcycle license shall indicate that the license shall
48 not be accepted as identification for an official purpose, as that term

1 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
2 acts amendatory or supplementary thereto, and any federal
3 regulations adopted thereunder.

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

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

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

47 The commission shall expand the driver's license examination to
48 include a question asking whether the applicant is aware of the

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

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

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

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

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

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

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

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

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

47 Every applicant for a license under classification b. shall be a
48 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):

47 Standard motorcycle license or endorsement: \$18.

48 REAL ID motorcycle license: \$29.

1 Omnibus or school bus endorsement: \$18.

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

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

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

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

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

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

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

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

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

46 (a) provide satisfactory proof of an Individual Taxpayer
47 Identification Number; or

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

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

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

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

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

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

37 Any documents and personal information, including an
38 applicant's photograph, obtained by the commission from an
39 applicant for a standard basic driver's license or standard
40 motorcycle license shall be confidential, shall not be considered a
41 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
42 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
43 access to government records, and shall not be disclosed by the
44 commission for any purpose related to Title 8 of the United States
45 Code without the informed consent of the applicant, a warrant
46 signed by a State or federal judge, or a lawful court order or
47 subpoena; except that nothing in this section shall be construed to
48 prohibit, or in any way restrict, any action where such prohibition

1 or restriction would be contrary to federal law. When responding to
2 a warrant, court order, or subpoena, the commission may disclose
3 only those records or information specifically requested in the
4 warrant, court order, or subpoena.

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

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

28 As used in this section:

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

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

36 (cf: P.L.2019, c.271, s.8) **】¹**

37
38 ¹1. R.S.39:3-10 is amended to read as follows:

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

45 A person under 18 years of age shall not be issued a basic license
46 to drive motor vehicles, and a person shall not be issued a validated
47 permit, including a validated examination permit, until the applicant
48 has passed a satisfactory examination and other requirements as to

1 the applicant's ability as an operator. The examination shall
2 include: a test of the applicant's vision; the applicant's ability to
3 understand traffic control devices; the applicant's knowledge of safe
4 driving practices, including the dangers of driving a vehicle in an
5 aggressive manner, which shall include, but not be limited to,
6 unexpectedly altering the speed of a vehicle, making improper or
7 erratic traffic lane changes, disregarding traffic control devices,
8 failing to yield the right of way, and following another vehicle too
9 closely; the applicant's knowledge of operating a motor vehicle in a
10 manner that safely shares the roadway with pedestrians, cyclists,
11 skaters, riders of motorized-scooters, and other non-motorized
12 vehicles, which shall include, but not be limited to, passing a cyclist
13 on the roadway, recognizing bicycle lanes, navigating intersections
14 with pedestrians and cyclists, and exiting a vehicle without
15 endangering pedestrians and cyclists; the applicant's knowledge of
16 the effects that ingestion of alcohol or drugs has on a person's
17 ability to operate a motor vehicle; the applicant's knowledge of the
18 dangers of carbon monoxide poisoning from motor vehicles and
19 techniques for the safe operation and proper maintenance of a motor
20 vehicle; the applicant's knowledge of portions of the mechanism of
21 motor vehicles as is necessary to insure the safe operation of a
22 vehicle of the kind or kinds indicated by the applicant; and the
23 applicant's knowledge of the laws and ordinary usages of the road.
24 The examination shall be made available in English and each of the
25 three languages, other than English, most commonly spoken in the
26 State, as determined by the chief administrator. The chief
27 administrator shall periodically, and at least every five years, verify
28 the three languages, other than English, most commonly spoken in
29 the State.

30 A person shall not sit for an examination for any permit without
31 exhibiting photo identification deemed acceptable by the
32 commission, unless that person is a high school student
33 participating in a course of automobile driving education approved
34 by the State Department of Education and conducted in a public,
35 parochial, or private school of this State, pursuant to section 1 of
36 P.L.1950, c.127 (C.39:3-13.1).

37 Prior to taking an examination for any permit, a person shall
38 watch a video created by the commission, in conjunction with the
39 Attorney General, explaining the rights and responsibilities of a
40 driver stopped by a law enforcement officer. The video shall be
41 used for informational purposes only and shall not be used in any
42 criminal proceeding involving a driver stopped by a law
43 enforcement officer.

44 The commission may waive the written law knowledge
45 examination for any person 18 years of age or older possessing a
46 valid driver's license issued by any other state, the District of
47 Columbia, or the United States Territories of American Samoa,
48 Guam, Northern Mariana Islands, Puerto Rico, or the Virgin

1 Islands. The commission shall be required to provide that person
2 with a booklet that highlights those motor vehicle laws unique to
3 New Jersey. A road test shall be required for a probationary license
4 and serve as a demonstration of the applicant's ability to operate a
5 vehicle of the class designated. During the road test, an applicant
6 may use a rear visibility system, parking sensors, or other
7 technology installed on the motor vehicle that enables the applicant
8 to view areas directly behind the vehicle or alerts the applicant of
9 obstacles while parking.

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

29 A person who successfully completes a road test for a
30 motorcycle license or a motorcycle endorsement when operating a
31 motorcycle or motorized scooter with an engine displacement of
32 less than 231 cubic centimeters shall be issued a motorcycle license
33 or endorsement restricting the person's operation of the vehicles to
34 any motorcycle with an engine displacement of 500 cubic
35 centimeters or less. A person who successfully completes a road
36 test for a motorcycle license or motorcycle endorsement when
37 operating a motorcycle with an engine displacement of 231 or more
38 cubic centimeters shall be issued a motorcycle license or
39 endorsement without any restriction as to engine displacement.
40 Any person who successfully completes an approved motorcycle
41 safety education course established pursuant to the provisions of
42 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
43 motorcycle license or endorsement without restriction as to engine
44 displacement.

45 A person issued a motorcycle license pursuant to this section
46 may be issued a standard motorcycle license or a REAL ID
47 motorcycle license. The chief administrator shall require an
48 applicant for a standard motorcycle license to provide as proof of

1 the applicant's identity, age, and residence primary and secondary
2 documents, with which the chief administrator shall attribute point
3 values in accordance with the point based identification verification
4 program established pursuant to section 28 of P.L.2003, c.13
5 (C.39:2A-28). The point total required to prove the identity of an
6 applicant for the standard motorcycle license shall be the same for
7 every applicant, regardless of immigration status. In the event that
8 the commission changes the point total threshold, the requirement
9 that every applicant reach the same point total threshold shall
10 remain in effect.

11 In addition to requiring the person to submit satisfactory proof of
12 identity and age, the commission shall require the person to
13 provide:

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

18 If the person does not have a social security number, the person
19 shall either:

20 (a) provide satisfactory proof of an Individual Taxpayer
21 Identification Number; or

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

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

34 A standard motorcycle license shall indicate that the license shall
35 not be accepted as identification for an official purpose, as that term
36 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
37 acts amendatory or supplementary thereto, and any federal
38 regulations adopted thereunder.

39 The commission shall issue a standard basic driver's license or a
40 REAL ID basic driver's license to operate a motor vehicle other
41 than a motorcycle to a person over 18 years of age who previously
42 has not been licensed to drive a motor vehicle in this State or
43 another jurisdiction only if that person has: (1) operated a passenger
44 automobile in compliance with the requirements of this Title for not
45 less than one year, not including any period of suspension or
46 postponement, from the date of issuance of a probationary license
47 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
48 assessed more than two motor vehicle points; (3) not been convicted

1 in the previous year for a violation of R.S.39:4-50, section 2 of
2 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
3 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,
4 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
5 motor vehicle-related violation the commission determines to be
6 significant and applicable pursuant to regulation; and (4) passed an
7 examination of the applicant's ability to operate a motor vehicle
8 pursuant to this section.

9 The commission shall expand the driver's license examination by
10 20 percent. The additional questions to be added shall consist solely
11 of questions developed in conjunction with the Department of
12 Health concerning the use of alcohol or drugs as related to highway
13 safety. The commission shall develop, in conjunction with the
14 Department of Health, supplements to the driver's manual which
15 shall include information necessary to answer any question on the
16 driver's license examination concerning alcohol or drugs as related
17 to highway safety.

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

34 The commission shall expand the driver's license examination to
35 include a question asking whether the applicant is aware of the
36 provisions of the "Revised Uniform Anatomical Gift Act,"
37 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on
38 the driver's license the intention to make a donation of body organs
39 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

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

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

1 Any person applying for a driver's license to operate a motor
2 vehicle or motorized bicycle in this State shall surrender to the
3 commission any current driver's license issued to the applicant by
4 another state or jurisdiction upon the applicant's receipt of a driver's
5 license for this State. The commission shall refuse to issue a
6 driver's license if the applicant fails to comply with this provision.
7 An applicant for a permit or license who is under 18 years of age,
8 and who holds a permit or license for a passenger automobile issued
9 by another state or country that is valid or has expired within a time
10 period designated by the commission, shall be subject to the permit
11 and license requirements and penalties applicable to State permit
12 and license applicants who are of the same age; except that if the
13 other state or country has permit or license standards substantially
14 similar to those of this State, the credentials of the other state or
15 country shall be acceptable.

16 The commission shall create classified licensing of drivers
17 covering the following classifications:

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

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

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

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

34 Every applicant for a license under classification b. shall be a
35 holder of a basic driver's license. Any issuance of a license under
36 classification b. shall be by endorsement on the person's basic
37 driver's license.

38 A driver's license for motorcycles may be issued separately, but
39 if issued to the holder of a basic driver's license, it shall be by
40 endorsement on the person's basic driver's license. The holder of a
41 basic driver's license or a separately issued motorcycle license shall
42 be authorized to operate a motorcycle having a motor with a
43 maximum piston displacement that is less than 50 cubic centimeters
44 or a motor that is rated at no more than 1.5 brake horsepower with a
45 maximum speed no more than 35 miles per hour on a flat surface.

46 The commission, upon payment of the lawful fee and after it or a
47 person authorized by it has examined the applicant and is satisfied
48 of the applicant's ability as an operator, may, in its discretion, issue

1 a license to the applicant to drive a motor vehicle. The license shall
2 authorize the person to drive any registered vehicle, of the kind or
3 kinds indicated.

4 The license shall expire, except as otherwise provided, during the
5 fourth calendar year following the date in which the license was
6 issued and on the same calendar day as the person's date of birth. If
7 the person's date of birth does not correspond to a calendar day of
8 the fourth calendar year, the license shall expire on the last day of
9 the person's birth month.

10 The commission may, at its discretion and for good cause shown,
11 issue licenses that expire on a date fixed by it. If the commission
12 issues a REAL ID basic driver's license or REAL ID motorcycle
13 license to a person who has demonstrated authorization to be
14 present in the United States for a period of time shorter than the
15 standard period of the license, the commission shall fix the
16 expiration date of the license at a date based on the period in which
17 the person is authorized to be present in the United States under
18 federal immigration laws. The commission may renew the person's
19 REAL ID basic driver's license or REAL ID motorcycle license
20 only if it is demonstrated that the person's continued presence in the
21 United States is authorized under federal law. The fee for licenses
22 with expiration dates fixed by the commission shall be fixed by the
23 commission in amounts proportionately less or greater than the fee
24 herein established.

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

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

34 Standard motorcycle license or endorsement: \$18.

35 REAL ID motorcycle license: \$29.

36 Omnibus or school bus endorsement: \$18.

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

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

39 The commission shall waive the payment of fees for issuance of
40 omnibus endorsements whenever an applicant establishes to the
41 commission's satisfaction that the applicant will use the omnibus
42 endorsement exclusively for operating omnibuses owned by a
43 nonprofit organization duly incorporated under Title 15 or 16 of the
44 Revised Statutes or Title 15A of the New Jersey Statutes.

45 The commission shall issue licenses for the following license
46 period on and after the first day of the calendar month immediately
47 preceding the commencement of the period, the licenses to be
48 effective immediately.

1 All applications for renewals of licenses shall be made in a
2 manner prescribed by the commission and in accordance with
3 procedures established by it.

4 The commission in its discretion may refuse to grant a permit or
5 license to drive motor vehicles to a person who is, in its estimation,
6 not a proper person to be granted a permit or license, but a defect of
7 the applicant shall not debar the applicant from receiving a permit
8 or license unless it can be shown by tests approved by the
9 commission that the defect incapacitates the applicant from safely
10 operating a motor vehicle.

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

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

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

33 (a) provide satisfactory proof of an Individual Taxpayer
34 Identification Number; or

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

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

47 A standard basic driver's license shall indicate that the license
48 shall not be accepted as identification for an official purpose, as that

1 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
2 any acts amendatory or supplementary thereto, and any federal
3 regulations adopted thereunder.

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

9 A person violating this section shall be subject to a fine not
10 exceeding \$500 or imprisonment in the county jail for not more
11 than 60 days, but if that person has never been licensed to drive in
12 this State or any other jurisdiction, the applicant shall be subject to
13 a fine of not less than \$200 and, in addition, the court shall issue an
14 order to the commission requiring the commission to refuse to issue
15 a license to operate a motor vehicle to the person for a period of not
16 less than 180 days. The penalties provided for by this paragraph
17 shall not be applicable in cases where failure to have actual
18 possession of the operator's license is due to an administrative or
19 technical error by the commission.

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

23 Any documents and personal information, including an
24 applicant's photograph, obtained by the commission from an
25 applicant for a standard basic driver's license or standard
26 motorcycle license shall be confidential, shall not be considered a
27 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
28 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
29 access to government records, and shall not be disclosed by the
30 commission for any purpose related to Title 8 of the United States
31 Code without the informed consent of the applicant, a warrant
32 signed by a State or federal judge, or a lawful court order or
33 subpoena; except that nothing in this section shall be construed to
34 prohibit, or in any way restrict, any action where such prohibition
35 or restriction would be contrary to federal law. When responding to
36 a warrant, court order, or subpoena, the commission may disclose
37 only those records or information specifically requested in the
38 warrant, court order, or subpoena.

39 Possession of a standard basic driver's license or standard
40 motorcycle license issued pursuant to this section shall not be
41 considered evidence of an individual's citizenship or immigration
42 status and shall not be used as a basis for an investigation, arrest,
43 citation, prosecution, or detention.

44 Information regarding an applicant's Individual **Tax** Taxpayer
45 Identification Number, social security number, or ineligibility to
46 receive a social security number obtained by the commission for the
47 issuance of a standard motorcycle license or standard basic driver's
48 license pursuant to this section, shall not be considered a

1 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
2 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
3 access to government records, and shall not be disclosed by the
4 commission except where: (1) required by section 11 of P.L.1998,
5 c.1 (C.2A:17-56.60); (2) the applicant provides written informed
6 consent to the disclosure; (3) the requesting entity presents a
7 warrant signed by a State or federal judge, a lawful court order, or a
8 subpoena; (4) required by State or federal law, and to the extent that
9 the disclosure may be necessary to permit the State to participate in
10 the National Driver Register program, as set forth in 49 U.S.C.
11 s.30301 et seq.; or (5) the disclosure is in connection with an audit
12 or investigation of identity fraud, driver's license fraud, or non-
13 driver identification card fraud.

14 As used in this section:

15 "Parking sensors" means proximity sensors which use either
16 electromagnetic or ultrasonic technology and are designed to alert
17 the driver to obstacles while parking.

18 "Rear visibility system" means devices or components installed
19 on a motor vehicle at the time of manufacture that allow a forward
20 facing driver to view a visual image of the area directly behind the
21 vehicle.¹

22 (cf: P.L.2021, c.148, s.8)

23

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

26 1. In addition to the requirements for the form and content of a
27 motor vehicle driver's license under R.S.39:3-10 and a probationary
28 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on
29 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),
30 each initial New Jersey license, each renewal of a New Jersey
31 driver's license, and each probationary license shall have a digitized
32 photograph of the licensee. All licenses issued on and after January
33 1, 2000 shall be valid for a period of 48 calendar months. However,
34 the chief administrator may, at the chief administrator's discretion,
35 issue licenses and endorsements that shall expire on a date fixed by
36 the chief administrator. The fee for those licenses or endorsements
37 shall be fixed in amounts proportionately less or greater than the fee
38 otherwise established. Notwithstanding the provisions of this
39 section to the contrary, a person 70 years of age or older may elect
40 to have a license issued for a period of two or four years, which
41 election shall not be altered by the chief administrator. The fee for
42 the two-year standard license shall be \$9, in addition to the fee for a
43 digitized photograph established in section 4 of P.L.2001, c.391
44 (C.39:3-10f4). The fee for a two-year REAL ID license shall be
45 \$14.50, in addition to the fee for a digitized photograph established
46 in section 4 of P.L.2001, c.391 (C.39:3-10f4). The chief
47 administrator may, for good cause, extend a license and any
48 endorsement thereon beyond their expiration dates for periods not

1 to exceed 12 additional months. The chief administrator may
2 extend the expiration date of a license and any endorsement thereon
3 without payment of a proportionate fee when the chief administrator
4 determines that the extension is necessary for good cause. If any
5 license and endorsements thereon are so extended, the licensee shall
6 pay upon renewal the full license fee for the period fixed by the
7 chief administrator as if no extension had been granted.

8 Each initial driver's license issued to a person under the age of
9 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
10 shall be conspicuously distinct, through the use of color and design,
11 from the driver's licenses issued to persons 21 years of age or older.
12 The chief administrator, in consultation with the Superintendent of
13 State Police, shall determine the color and the manner in which the
14 license is designed to achieve this result. The license shall bear the
15 words "UNDER 21" in a conspicuous manner. The chief
16 administrator shall provide that, upon attaining the age of 21, a
17 licensee shall be issued a replacement driver's license or a new
18 license, as appropriate. The fee for a replacement license shall be
19 \$5 in addition to the digitized photograph fee.

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

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

38 In addition to any other extension, the chief administrator shall
39 allow a person to use a stored photograph to renew a license for a
40 period not exceeding one year if the person presents documentation
41 by a licensed physician that the person is undergoing medical
42 treatment for an illness and the treatment results in temporary
43 changes to the person's physical characteristics. The fee for this
44 extension shall be \$18 for a standard license and \$29 for a REAL
45 ID license and the person shall not be required to pay the digitized
46 photograph fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-
47 10f4).

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

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

12 Specific use of the driver's license and any information stored or
13 encoded, electronically or otherwise, in relation thereto shall be in
14 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
15 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.
16 Notwithstanding the provisions of any other law to the contrary, the
17 digitized photograph or any access thereto or any use thereof shall
18 not be sold, leased, or exchanged for value.
19 (cf: P.L.2020, c.77, s.1)
20

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

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

32 The identification card shall be renewable upon the request of
33 the bearer of the card, pursuant to terms of license renewal
34 established by the New Jersey Motor Vehicle Commission, and
35 upon payment of a fee as required by section 6 of P.L.1980, c.47
36 (C.39:3-29.7). An identification card issued pursuant to P.L.1980,
37 c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a
38 disability shall be valid for the life of the holder unless canceled by
39 the holder. Cards issued prior to October 16, 1989 and valid upon
40 the effective date of P.L.1990, c.30 shall be valid for the life of the
41 holder unless canceled by the holder. Cards issued to persons with
42 blindness or disabilities between October 16, 1989 and the effective
43 date of P.L.1990, c.30, and which are valid on the effective date of
44 P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life
45 of the holder unless canceled by the holder, upon presentation of
46 proof that the person's blindness or disability existed at the time of
47 the original application. The chief administrator is authorized to
48 require periodic verification of information included on any

1 identification card issued for or valid for the life of the holder.
2 Nothing in this section shall be construed to alter or change any
3 expiration date on any New Jersey identification card issued prior to
4 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any
5 such identification card shall remain valid until its expiration date.

6 As a condition for the renewal of an identification card, the chief
7 administrator shall provide that the photograph of a holder of an
8 identification card be updated, except that the chief administrator
9 may elect to use a stored photograph for two consecutive four-year
10 renewal periods. For a person who has demonstrated authorization
11 to be present in the United States for a period of time shorter than
12 the standard periods of identification cards, the chief administrator
13 may elect to use a stored photograph for the renewal of an
14 identification card for the period of time in which the person is
15 authorized to be present in the United States under federal
16 immigration laws. The chief administrator shall not use a stored
17 photograph for more than 12 years except as otherwise provided in
18 this section. The fee shall be \$18 for a standard identification card
19 per renewal and \$29 for a REAL ID identification card per renewal,
20 in addition to the digitized photograph fee.

21 The holder of a standard identification card who is 65 years of
22 age or older shall not be required to update the person's
23 identification card photograph upon renewal and shall be eligible to
24 use a stored photograph for each standard identification card
25 renewal.

26 b. If the chief administrator issues a REAL ID identification
27 card to a person who has demonstrated authorization to be present
28 in the United States for a period of time shorter than the standard
29 periods of identification cards, the chief administrator shall fix the
30 expiration date of the REAL ID identification card at a date based
31 on the period in which the person is authorized to be present in the
32 United States under federal immigration laws. The chief
33 administrator may renew such REAL ID identification card only if
34 it is demonstrated that the person's continued presence in the United
35 States is authorized under federal law.

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

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

42
43 4. This act shall take effect immediately.