

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 761

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: FEBRUARY 3, 2023

SUMMARY

- Synopsis:** Requires MVC to provide, upon request, notation on driver's license or identification card of diagnosis of autism spectrum disorder or communication disorder.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** New Jersey Motor Vehicle Commission; Office of Information Technology; Department of Law and Public Safety; Department of Human Services.

Office of Legislative Services Estimate

| Fiscal Impact | <u>Annual</u> |
|-----------------------------------|----------------------|
| State Expenditure Increase | Indeterminate |

- The Office of Legislative Services (OLS) finds that the bill will result in indeterminate initial development costs and ongoing administrative expenditures to the State for the development and production of the driver's license and non-driver identification card and for the distribution to law enforcement agencies Statewide of recommended guidance for effectively communicating with a person with an autism spectrum disorder or communication disorder.

The magnitude of these cost increases will depend on implementation decisions made by the New Jersey Motor Vehicle Commission, which the OLS is unable to anticipate.

- The OLS is unable to predict the type of changes to the driver's license and non-driver identification card that will be implemented by the commission or the cost associated with those changes; however, programming and design changes can generally be completed with the assistance of the Office of Information Technology, and the change orders are expected to be comparable to other change orders that the commission has issued to its vendors in the past for license alterations.
- The Attorney General and the Department of Human Services will also be required to dedicate an unknown quantity of staff time and resources to developing and distributing written guidance to assist law enforcement officers in their interactions with persons diagnosed with an autism spectrum disorder or communication disorder. The bill does not specify how the written guidelines are to be distributed. Electronic distribution would save on printing and mailing costs.

BILL DESCRIPTION

This bill requires the Motor Vehicle Commission to allow the holder of driver's license or non-driver identification card to indicate that the person has been diagnosed with an autism spectrum disorder or communication disorder, upon request of the person or the person's parent, guardian, or caregiver, and upon the submission of any required documentation. The bill requires the chief administrator of the commission, in consultation with the Commissioner of Human Services, to establish the forms of documentation needed to obtain this notation.

This bill also requires the Commissioner of Human Services and the Attorney General, in consultation with the Superintendent of the Division of State Police in the Department of Law and Public Safety, and at least one organization that advocates on behalf of persons who have been diagnosed with an autism spectrum disorder, to jointly develop guidance to assist law enforcement officers in effectively communicating with a person diagnosed with an autism spectrum disorder or communication disorder. The bill requires the Attorney General to ensure that a copy of this written guidance is distributed to each police department in the State.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will result in indeterminate initial development costs and ongoing administrative expenditures to the State for the development and production of the driver's licenses and non-driver identification cards and for the distribution of written guidance to law enforcement agencies. The chief administrator will be responsible for determining how a licensee may indicate that a person is diagnosed with an autism spectrum disorder or communication disorder. Possible mechanisms to implement this responsibility could include the inclusion of a notation or endorsement on the license or the redesign of the license.

When legislation was enacted allowing for persons who are insulin-dependent diabetics to request a designation on their licenses, the commission achieved this task by coding for a new number to be printed on qualified licenses under the "restrictions" area that already exists on New Jersey driver's licenses. Employing a similar strategy to comply with the stipulations of this bill would be more cost-effective than redesigning the license. The commission has existing staff capable of such work but the changes will consume commission staff hours and resources. Once the manner of designation is decided, it will be necessary to work with the current driver's license vendor to redesign the software that produces driver's licenses to incorporate those changes. The commission periodically makes change orders of this type, but the OLS does not have access to the cost or nature of these change orders, so it is not possible to derive an estimate from a comparable change order. The manner of designation selected by the chief administrator will have an impact on the degree of the increase in State costs. Any related programming necessary to make changes to existing license printing formats can be conducted by the Office of Information and Technology but would likely require an eventual change order be filed with the driver's license vendor. Such a change order would be similar in scope to other orders that the commission has made.

The Attorney General and the Department of Human Services will also be required to dedicate an unknown quantity of staff time and resources to jointly develop the written guidance to assist law enforcement officers in their interactions with persons diagnosed with an autism spectrum disorder or communication disorder. Thereafter, the Attorney General will also be expected to incur expenses related to the distribution of the guidance to law enforcement agencies throughout

the State. The bill does not specify how this written guidance is required to be distributed. However, the OLS notes that electronic distribution would save on printing and mailing costs.

Section: Authorities, Utilities, Transportation and Communications

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).