

ASSEMBLY, No. 4115

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED SEPTEMBER 15, 2016

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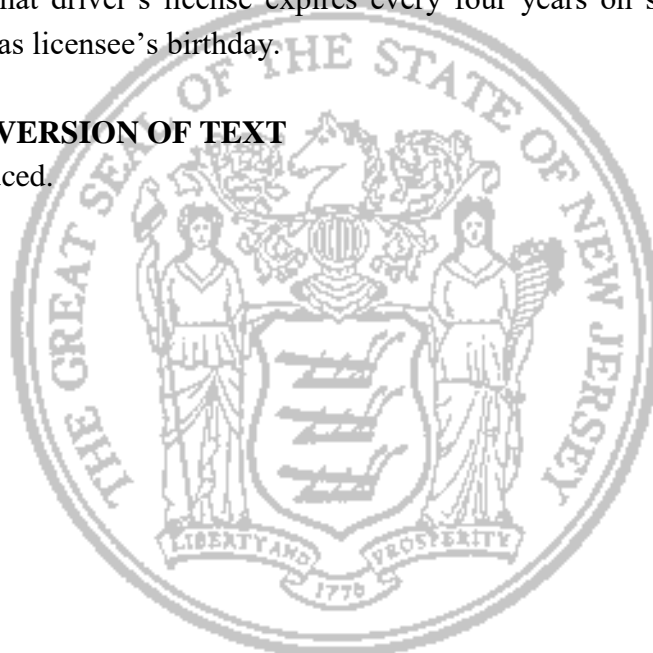
Assemblyman Wisniewski

SYNOPSIS

Provides that driver's license expires every four years on same numerical calendar day as licensee's birthday.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2016)

A4115 JOHNSON, VAINIERI HUTTLE

2

1 AN ACT concerning driver's licenses and amending R.S.39:3-10.

2

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

5

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

7 39:3-10. No person shall drive a motor vehicle on a public
8 highway in this State unless the person is under supervision while
9 participating in a behind-the-wheel driving course pursuant to
10 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
11 validated permit, or a probationary or basic driver's license issued to
12 that person in accordance with this article.

13 No person under 18 years of age shall be issued a basic license to
14 drive motor vehicles, nor shall a person be issued a validated
15 permit, including a validated examination permit, until the applicant
16 has passed a satisfactory examination and other requirements as to
17 the applicant's ability as an operator. The examination shall include
18 a test of the applicant's vision, the applicant's ability to understand
19 traffic control devices, the applicant's knowledge of safe driving
20 practices, including the dangers of driving a vehicle in an
21 aggressive manner, which shall include, but not be limited to,
22 unexpectedly altering the speed of a vehicle, making improper or
23 erratic traffic lane changes, disregarding traffic control devices,
24 failing to yield the right of way, and following another vehicle too
25 closely, and of the effects that ingestion of alcohol or drugs has on a
26 person's ability to operate a motor vehicle, the applicant's
27 knowledge of **[such]** portions of the mechanism of motor vehicles
28 as is necessary to insure the safe operation of a vehicle of the kind
29 or kinds indicated by the applicant, and of the laws and ordinary
30 usages of the road. No person shall sit for an examination for any
31 permit without exhibiting photo identification deemed acceptable
32 by the 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). The commission may waive the
37 written law knowledge examination for any person 18 years of age
38 or older possessing a valid driver's license issued by any other state,
39 the District of Columbia, or the United States Territories of
40 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
41 commission shall be required to provide that person with a booklet
42 that highlights those motor vehicle laws unique to New Jersey. A
43 road test shall be required for a probationary license and serve as a
44 demonstration of the applicant's ability to operate a vehicle of the
45 class designated. No person shall sit for a road test unless that

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 person exhibits photo identification deemed acceptable by the
2 commission. A high school student who has completed a course of
3 behind-the-wheel automobile driving education approved by the
4 State Department of Education and conducted in a public, parochial,
5 or private school of this State, who has been issued a special
6 learner's permit pursuant to section 1 of P.L.1950, c.127 (C.39:3-
7 13.1) prior to January 1, 2003, shall not be required to exhibit photo
8 identification in order to sit for a road test. The commission may
9 waive the road test for any person 18 years of age or older
10 possessing a valid driver's license issued by any other state, the
11 District of Columbia, or the United States Territories of American
12 Samoa, Guam, Puerto Rico, or the Virgin Islands. The road test
13 shall be given on public streets, where practicable and feasible, but
14 may be preceded by an off-street screening process to assess basic
15 skills. The commission shall approve locations for the road test
16 which pose no more than a minimal risk of injury to the applicant,
17 the examiner, and other motorists. No new locations for the road
18 test shall be approved unless the test can be given on public streets.

19 A person who successfully completes a road test for a
20 motorcycle license or a motorcycle endorsement when operating a
21 motorcycle or motorized scooter with an engine displacement of
22 less than 231 cubic centimeters shall be issued a motorcycle license
23 or endorsement restricting the person's operation of such vehicles to
24 any motorcycle with an engine displacement of 500 cubic
25 centimeters or less. A person who successfully completes a road
26 test for a motorcycle license or motorcycle endorsement when
27 operating a motorcycle with an engine displacement of 231 or more
28 cubic centimeters shall be issued a motorcycle license or
29 endorsement without any restriction as to engine displacement.
30 Any person who successfully completes an approved motorcycle
31 safety education course established pursuant to the provisions of
32 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
33 motorcycle license or endorsement without restriction as to engine
34 displacement.

35 The commission shall issue a basic driver's license to operate a
36 motor vehicle other than a motorcycle to a person over 18 years of
37 age who previously has not been licensed to drive a motor vehicle
38 in this State or another jurisdiction only if that person has: (1)
39 operated a passenger automobile in compliance with the
40 requirements of this title for not less than one year, not including
41 any period of suspension or postponement, from the date of
42 issuance of a probationary license pursuant to section 4 of
43 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
44 motor vehicle points; (3) not been convicted in the previous year for
45 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
46 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-
47 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
48 related violation the commission determines to be significant and

1 applicable pursuant to regulation; and (4) passed an examination of
2 the applicant's ability to operate a motor vehicle pursuant to this
3 section.

4 The commission shall expand the driver's license examination by
5 20%. The additional questions to be added shall consist solely of
6 questions developed in conjunction with the Department of Health
7 concerning the use of alcohol or drugs as related to highway safety.
8 The commission shall develop, in conjunction with the Department
9 of Health, supplements to the driver's manual which shall include
10 information necessary to answer any question on the driver's license
11 examination concerning alcohol or drugs as related to highway
12 safety.

13 Up to 20 questions may be added to the examination on subjects
14 to be determined by the commission that are of particular relevance
15 to youthful drivers, including the dangers of driving a vehicle in an
16 aggressive manner, which shall include, but not be limited to,
17 unexpectedly altering the speed of a vehicle, making improper or
18 erratic traffic lane changes, disregarding traffic control devices,
19 failing to yield the right of way, and following another vehicle too
20 closely, after consultation with the Director of the Division of
21 Highway Traffic Safety in the Department of Law and Public
22 Safety.

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

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

34 Any person applying for a driver's license to operate a motor
35 vehicle or motorized bicycle in this State shall surrender to the
36 commission any current driver's license issued to the applicant by
37 another state or jurisdiction upon the applicant's receipt of a driver's
38 license for this State. The commission shall refuse to issue a
39 driver's license if the applicant fails to comply with this provision.
40 An applicant for a permit or license who is less than 18 years of
41 age, and who holds a permit or license for a passenger automobile
42 issued by another state or country that is valid or has expired within
43 a time period designated by the commission, shall be subject to the
44 permit and license requirements and penalties applicable to State
45 permit and license applicants who are of the same age; except that if
46 the other state or country has permit or license standards
47 substantially similar to those of this State, the credentials of the
48 other state or country shall be acceptable.

1 The commission shall create classified licensing of drivers
2 covering the following classifications:

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

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

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

15 d. All motor vehicles not included in classifications a. and b. A
16 license issued pursuant to this classification d. shall be referred to
17 as the "basic driver's license."

18 Every applicant for a license under classification b. shall be a
19 holder of a basic driver's license. Any issuance of a license under
20 classification b. shall be by endorsement on the basic driver's
21 license.

22 A driver's license for motorcycles may be issued separately, but
23 if issued to the holder of a basic driver's license, it shall be by
24 endorsement on the basic driver's license. The holder of a basic
25 driver's license or a separately issued motorcycle license shall be
26 authorized to operate a motorcycle having a motor with a maximum
27 piston displacement that is less than 50 cubic centimeters or a motor
28 that is rated at no more than 1.5 brake horsepower with a maximum
29 speed no more than 35 miles per hour on a flat surface.

30 The commission, upon payment of the lawful fee and after it or a
31 person authorized by it has examined the applicant and is satisfied
32 of the applicant's ability as an operator, may, in its discretion, issue
33 a license to the applicant to drive a motor vehicle. The license shall
34 authorize **【him】** the person to drive any registered vehicle, of the
35 kind or kinds indicated **【, and】** .

36 The license shall expire, except as otherwise provided, 【on the
37 last day of】 during the 48th calendar month following the calendar
38 month in which **【such】** the license was issued and on the same
39 numerical calendar day as the person's numerical day of birth. If
40 the person's numerical day of birth does not correspond to a
41 numerical calendar day of the 48th calendar month, the license shall
42 expire on the last day of the 48th calendar month.

43 The commission may, at its discretion and for good cause shown,
44 issue licenses which shall expire on a date fixed by it. If the
45 commission issues a license to a person who has demonstrated
46 authorization to be present in the United States for a period of time
47 shorter than the standard period of the license, the commission shall
48 fix the expiration date of the license at a date based on the period in

1 which the person is authorized to be present in the United States
2 under federal immigration laws. The commission may renew [such
3 a] the license only if it is demonstrated that the person's continued
4 presence in the United States is authorized under federal law. The
5 fee for licenses with expiration dates fixed by the commission shall
6 be fixed by the commission in amounts proportionately less or
7 greater than the fee herein established.

8 The required fee for a license for the 48-month period shall be as
9 follows:

10 Motorcycle license or endorsement: \$18.

11 Omnibus or school bus endorsement: \$18.

12 Basic driver's license: \$18.

13 The commission shall waive the payment of fees for issuance of
14 omnibus endorsements whenever an applicant establishes to the
15 commission's satisfaction that [said] the applicant will use the
16 omnibus endorsement exclusively for operating omnibuses owned
17 by a nonprofit organization duly incorporated under Title 15 or 16
18 of the Revised Statutes or Title 15A of the New Jersey Statutes.

19 The commission shall issue licenses for the following license
20 period on and after the first day of the calendar month immediately
21 preceding the commencement of [such] the period, [such] the
22 licenses to be effective immediately.

23 All applications for renewals of licenses shall be made in a
24 manner prescribed by the commission and in accordance with
25 procedures established by it.

26 The commission in its discretion may refuse to grant a permit or
27 license to drive motor vehicles to a person who is, in its estimation,
28 not a proper person to be granted [such] a permit or license, but no
29 defect of the applicant shall debar the applicant from receiving a
30 permit or license unless it can be shown by tests approved by the
31 commission that the defect incapacitates the applicant from safely
32 operating a motor vehicle.

33 In addition to requiring an applicant for a driver's license to
34 submit satisfactory proof of identity and age, the commission also
35 shall require the applicant to provide, as a condition for obtaining a
36 permit and license, satisfactory proof that the applicant's presence
37 in the United States is authorized under federal law.

38 If the commission has reasonable cause to suspect that any
39 document presented by an applicant as proof of identity, age or
40 legal residency is altered, false or otherwise invalid, the
41 commission shall refuse to grant the permit or license until [such]
42 the time as the document may be verified by the issuing agency to
43 the commission's satisfaction.

44 A person violating this section shall be subject to a fine not
45 exceeding \$500 or imprisonment in the county jail for not more
46 than 60 days, but if that person has never been licensed to drive in
47 this State or any other jurisdiction, the applicant shall be subject to
48 a fine of not less than \$200 and, in addition, the court shall issue an

1 order to the commission requiring the commission to refuse to issue
2 a license to operate a motor vehicle to the person for a period of not
3 less than 180 days. The penalties provided for by this paragraph
4 shall not be applicable in cases where failure to have actual
5 possession of the operator's license is due to an administrative or
6 technical error by the commission.

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

10 (cf: P.L.2015, c.78, s.1)

11

12 2. This act shall take effect on the first day of the seventh
13 month after enactment.

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15

16

STATEMENT

17

18 This bill provides that a person's driver's license expires four
19 years after issuing the license on the numerical date of the person's
20 birthday.

21 Under current law, a person's driver's license expires on the last
22 day of the 48th month after the license was issued. Under this bill,
23 a person's driver's license would expire during the 48th calendar
24 month after the license was issued and on the numerical calendar
25 day that corresponds to the person's numerical day of birth. If the
26 person's numerical day of birth does not correspond with a
27 numerical calendar day in the 48th month, the license is to expire
28 on the last day of the 48th month.

29 According to the sponsor, the intent of this bill is to reduce the
30 lines and wait time at Motor Vehicle Commission offices by having
31 a person's driver's license expire on the day of his or her birthday,
32 rather than on the last day of the month.