

[Second Reprint]

ASSEMBLY, No. 4165

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED SEPTEMBER 19, 2016

Sponsored by:

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman NICHOLAS CHIARAVALLOTTI

District 31 (Hudson)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblywoman Jimenez, Assemblyman Eustace, Assemblywoman B.DeCroce, Assemblyman Giblin, Assemblywoman Pinkin, Senators Diegnan, Stack and Assemblyman Wisniewski

SYNOPSIS

Requires driver education course, certain new driver brochures, and driver's license written exam to include cyclist and pedestrian safety information.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on June 1, 2017, with amendments.

(Sponsorship Updated As Of: 1/9/2018)

1 AN ACT concerning ¹**[bicycle]** cyclist¹ and pedestrian safety and
 2 amending R.S.39:3-10 and P.L.1998, c.108.

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. No person shall 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 No person under 18 years of age shall be issued a basic license to
 15 drive motor vehicles, nor shall a person 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 include
 19 a test of the applicant's vision~~[,]~~ ; the applicant's ability to
 20 understand traffic control devices~~[,]~~ ; the applicant's knowledge of
 21 safe driving practices, including the dangers of driving a vehicle in
 22 an 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
 27 in a manner that safely shares the roadway with pedestrians,
 28 bicyclists, skaters, riders of motorized-scooters and other non-
 29 motorized vehicles, which shall include, but not be limited to,
 30 passing a cyclist on the road, recognizing bicycle lanes, navigating
 31 intersections with pedestrians and cyclists, and exiting a vehicle
 32 without endangering pedestrians and cyclists; [and of] the effects
 33 that ingestion of alcohol or drugs has on a person's ability to operate
 34 a motor vehicle[,] ; the applicant's knowledge of such portions of
 35 the mechanism of motor vehicles as is necessary to insure the safe
 36 operation of a vehicle of the kind or kinds indicated by the
 37 applicant[,] ; and [of] the laws and ordinary usages of the road.
 38 No person shall sit for an examination for any permit without
 39 exhibiting photo identification deemed acceptable by the
 40 commission, unless that person is a high school student
 41 participating in a course of automobile driving education approved
 42 by the State Department of Education and conducted in a public,
 43 parochial, or private school of this State, pursuant to section 1 of

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 December 12, 2016.

²Senate STR committee amendments adopted June 1, 2017.

1 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
2 written law knowledge examination for any person 18 years of age
3 or older possessing a valid driver's license issued by any other state,
4 the District of Columbia, or the United States Territories of
5 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
6 commission shall be required to provide that person with a booklet
7 that highlights those motor vehicle laws unique to New Jersey. A
8 road test shall be required for a probationary license and serve as a
9 demonstration of the applicant's ability to operate a vehicle of the
10 class designated. No person shall sit for a road test unless that
11 person exhibits photo identification deemed acceptable by the
12 commission. A high school student who has completed a course of
13 behind-the-wheel automobile driving education approved by the
14 State Department of Education and conducted in a public, parochial,
15 or private school of this State, who has been issued a special
16 learner's permit pursuant to section 1 of P.L.1950, c.127 (C.39:3-
17 13.1) prior to January 1, 2003, shall not be required to exhibit photo
18 identification in order to sit for a road test. The commission may
19 waive the road test for any person 18 years of age or older
20 possessing a valid driver's license issued by any other state, the
21 District of Columbia, or the United States Territories of American
22 Samoa, Guam, Puerto Rico, or the Virgin Islands. The road test
23 shall be given on public streets, where practicable and feasible, but
24 may be preceded by an off-street screening process to assess basic
25 skills. The commission shall approve locations for the road test
26 which pose no more than a minimal risk of injury to the applicant,
27 the examiner, and other motorists. No new locations for the road
28 test shall 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 such 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 The commission shall issue a basic driver's license to operate a
46 motor vehicle other than a motorcycle to a person over 18 years of
47 age who previously has not been licensed to drive a motor vehicle
48 in this State or another jurisdiction only if that person has: (1)

1 operated a passenger automobile in compliance with the
2 requirements of this title for not less than one year, not including
3 any period of suspension or postponement, from the date of
4 issuance of a probationary license pursuant to section 4 of
5 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
6 motor vehicle points; (3) not been convicted in the previous year for
7 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
8 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-
9 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
10 related violation the commission determines to be significant and
11 applicable pursuant to regulation; and (4) passed an examination of
12 the applicant's ability to operate a motor vehicle pursuant to this
13 section.

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

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

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

45 The commission shall expand the driver's license examination to
46 include a question asking whether the applicant is aware of the
47 dangers of failing to comply with this State's motor vehicle traffic

1 laws and the "STOP for Nikhil Safety Pledge" set forth in
2 subsection e. of R.S.39:3-41.

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

18 The commission shall create classified licensing of drivers
19 covering the following classifications:

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

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

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

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

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

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

47 The commission, upon payment of the lawful fee and after it or a
48 person authorized by it has examined the applicant and is satisfied

1 of the applicant's ability as an operator, may, in its discretion, issue
2 a license to the applicant to drive a motor vehicle. The license shall
3 authorize him to drive any registered vehicle, of the kind or kinds
4 indicated, and shall expire, except as otherwise provided, on the last
5 day of the 48th calendar month following the calendar month in
6 which such license was issued.

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

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

22 Motorcycle license or endorsement: \$18.

23 Omnibus or school bus endorsement: \$18.

24 Basic driver's license: \$18.

25 The commission shall waive the payment of fees for issuance of
26 omnibus endorsements whenever an applicant establishes to the
27 commission's satisfaction that said applicant will use the omnibus
28 endorsement exclusively for operating omnibuses owned by a
29 nonprofit organization duly incorporated under Title 15 or 16 of the
30 Revised Statutes or Title 15A of the New Jersey Statutes.

31 The commission shall issue licenses for the following license
32 period on and after the first day of the calendar month immediately
33 preceding the commencement of such period, such licenses to be
34 effective immediately.

35 All applications for renewals of licenses shall be made in a
36 manner prescribed by the commission and in accordance with
37 procedures established by it.

38 The commission in its discretion may refuse to grant a permit or
39 license to drive motor vehicles to a person who is, in its estimation,
40 not a proper person to be granted such a permit or license, but no
41 defect of the applicant shall debar the applicant from receiving a
42 permit or license unless it can be shown by tests approved by the
43 commission that the defect incapacitates the applicant from safely
44 operating a motor vehicle.

45 In addition to requiring an applicant for a driver's license to
46 submit satisfactory proof of identity and age, the commission also
47 shall require the applicant to provide, as a condition for obtaining a

1 permit and license, satisfactory proof that the applicant's presence
2 in the United States is authorized under federal law.

3 If the commission has reasonable cause to suspect that any
4 document presented by an applicant as proof of identity, age or
5 legal residency is altered, false or otherwise invalid, the
6 commission shall refuse to grant the permit or license until such
7 time as the document may be verified by the issuing agency to the
8 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 (cf: P.L.2015, c.78, s.1)]¹

24

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

26 39:3-10. A person shall not drive a motor vehicle on a public
27 highway in this State unless the person is under supervision while
28 participating in a behind-the-wheel driving course pursuant to
29 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
30 validated permit, or a probationary or basic driver's license issued to
31 that person in accordance with this article.

32 A person under 18 years of age shall not be issued a basic license
33 to drive motor vehicles or be issued a validated permit, including a
34 validated examination permit, until the applicant has passed a
35 satisfactory examination and other requirements as to the applicant's
36 ability as an operator. The examination shall include: a test of the
37 applicant's vision; the applicant's ability to understand traffic
38 control devices; the applicant's knowledge of safe driving practices,
39 including the dangers of driving a vehicle in an aggressive manner,
40 which shall include, but not be limited to, unexpectedly altering the
41 speed of a 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; the applicant's
44 knowledge of operating a motor vehicle in a manner that safely
45 shares the roadway with pedestrians, cyclists, skaters, riders of
46 motorized-scooters, and other non-motorized vehicles, which shall
47 include, but not be limited to, passing a cyclist on the roadway,
48 recognizing bicycle lanes, navigating intersections with pedestrians

1 and cyclists, and exiting a vehicle without endangering pedestrians
2 and cyclists; the applicant's knowledge of the effects that ingestion
3 of alcohol or drugs has on a person's ability to operate a motor
4 vehicle; the applicant's knowledge of the dangers of carbon
5 monoxide poisoning from motor vehicles and techniques for the
6 safe operation and proper maintenance of a motor vehicle; the
7 applicant's knowledge of portions of the mechanism of motor
8 vehicles as is necessary to insure the safe operation of a vehicle of
9 the kind or kinds indicated by the applicant; and the applicant's
10 knowledge of the laws and ordinary usages of the road. A person
11 shall not sit for an examination for any permit without exhibiting
12 photo identification deemed acceptable by the commission, unless
13 that person is a high school student participating in a course of
14 automobile driving education approved by the State Department of
15 Education and conducted in a public, parochial, or private school of
16 this State, pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).
17 The commission may waive the written law knowledge examination
18 for any person 18 years of age or older possessing a valid driver's
19 license issued by any other state, the District of Columbia, or the
20 United States Territories of American Samoa, Guam, Puerto Rico,
21 or the Virgin Islands. The commission shall be required to provide
22 that person with a booklet that highlights those motor vehicle laws
23 unique to New Jersey. A road test shall be required for a
24 probationary license and serve as a demonstration of the applicant's
25 ability to operate a vehicle of the class designated. During the road
26 test, an applicant may use a rear visibility system, parking sensors,
27 or other technology installed on the motor vehicle that enables the
28 applicant to view areas directly behind the vehicle or alerts the
29 applicant of obstacles while parking. A person shall not sit for a
30 road test unless that person exhibits photo identification deemed
31 acceptable by the commission. A high school student who has
32 completed a course of behind-the-wheel automobile driving
33 education approved by the State Department of Education and
34 conducted in a public, parochial, or private school of this State, who
35 has been issued a special learner's permit pursuant to section 1 of
36 P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003, shall not be
37 required to exhibit photo identification in order to sit for a road test.
38 The commission may waive the road test for any person 18 years of
39 age or older possessing a valid driver's license issued by any other
40 state, the District of Columbia, or the United States Territories of
41 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
42 road test shall be given on public streets, where practicable and
43 feasible, but may be preceded by an off-street screening process to
44 assess basic skills. The commission shall approve locations for the
45 road test which pose no more than a minimal risk of injury to the
46 applicant, the examiner, and other motorists. New locations for the
47 road test shall not be approved unless the test can be given on
48 public streets.

1 A person who successfully completes a road test for a
2 motorcycle license or a motorcycle endorsement when operating a
3 motorcycle or motorized scooter with an engine displacement of
4 less than 231 cubic centimeters shall be issued a motorcycle license
5 or endorsement restricting the person's operation of such vehicles to
6 any motorcycle with an engine displacement of 500 cubic
7 centimeters or less. A person who successfully completes a road
8 test for a motorcycle license or motorcycle endorsement when
9 operating a motorcycle with an engine displacement of 231 or more
10 cubic centimeters shall be issued a motorcycle license or
11 endorsement without any restriction as to engine displacement.
12 Any person who successfully completes an approved motorcycle
13 safety education course established pursuant to the provisions of
14 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
15 motorcycle license or endorsement without restriction as to engine
16 displacement.

17 The commission shall issue a basic driver's license to operate a
18 motor vehicle other than a motorcycle to a person over 18 years of
19 age who previously has not been licensed to drive a motor vehicle
20 in this State or another jurisdiction only if that person has: (1)
21 operated a passenger automobile in compliance with the
22 requirements of this Title for not less than one year, not including
23 any period of suspension or postponement, from the date of
24 issuance of a probationary license pursuant to section 4 of
25 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
26 motor vehicle points; (3) not been convicted in the previous year for
27 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
28 50.4a), section 1 of P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129,
29 N.J.S.2C:11-5, subsection c. of N.J.S.2C:12-1, or any other motor
30 vehicle-related violation the commission determines to be
31 significant and applicable pursuant to regulation; and (4) passed an
32 examination of the applicant's ability to operate a motor vehicle
33 pursuant to this section.

34 The commission shall expand the driver's license examination by
35 20 percent. The additional questions to be added shall consist solely
36 of questions developed in conjunction with the Department of
37 Health concerning the use of alcohol or drugs as related to highway
38 safety. The commission shall develop, in conjunction with the
39 Department of Health, supplements to the driver's manual which
40 shall include information necessary to answer any question on the
41 driver's license examination concerning alcohol or drugs as related
42 to highway safety.

43 Up to 20 questions may be added to the examination on subjects
44 to be determined by the commission that are of particular relevance
45 to youthful drivers, including the importance of operating a motor
46 vehicle in a manner that safely shares the roadway with pedestrians,
47 cyclists, skaters, riders of motorized-scooters, and other non-motorized
48 vehicles, which shall include, but not be limited to, passing a cyclist on

1 the roadway, recognizing bicycle lanes, navigating intersections with
2 pedestrians and cyclists, and exiting a vehicle without endangering
3 pedestrians and cyclists, and² the dangers of driving a vehicle in an
4 aggressive manner, which shall include, but not be limited to,
5 unexpectedly altering the speed of a vehicle, making improper or
6 erratic traffic lane changes, disregarding traffic control devices,
7 failing to yield the right of way, and following another vehicle too
8 closely, after consultation with the Director of the Division of
9 Highway Traffic Safety in the Department of Law and Public
10 Safety.

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

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

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

26 ²【The commission shall expand the driver's license examination
27 to include questions concerning the importance of operating a motor
28 vehicle in a manner that safely shares the roadway with pedestrians,
29 cyclists, skaters, riders of motorized-scooters, and other non-
30 motorized vehicles, which shall include, but not be limited to,
31 passing a cyclist on the roadway, recognizing bicycle lanes,
32 navigating intersections with pedestrians and cyclists, and exiting a
33 vehicle without endangering pedestrians and cyclists.】²

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.

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15 d. All motor vehicles not included in classifications a. and b. A
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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
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21 license.

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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 the applicant to drive any registered vehicle, of the kind
35 or kinds indicated, and shall expire, except as otherwise provided,
36 on the last day of the 48th calendar month following the calendar
37 month in which the license was issued.

38 The commission may, at its discretion and for good cause shown,
39 issue licenses which shall expire on a date fixed by it. If the
40 commission issues a license to a person who has demonstrated
41 authorization to be present in the United States for a period of time
42 shorter than the standard period of the license, the commission shall
43 fix the expiration date of the license at a date based on the period in
44 which the person is authorized to be present in the United States
45 under federal immigration laws. The commission may renew the
46 license only if it is demonstrated that the person's continued
47 presence in the United States is authorized under federal law. The
48 fee for licenses with expiration dates fixed by the commission shall

1 be fixed by the commission in amounts proportionately less or
2 greater than the fee herein established.

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

5 Motorcycle license or endorsement: \$18.

6 Omnibus or school bus endorsement: \$18.

7 Basic driver's license: \$18.

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

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

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

21 The commission in its discretion may refuse to grant a permit or
22 license to drive motor vehicles to a person who is, in its estimation,
23 not a proper person to be granted a permit or license, but no defect
24 of the applicant shall debar the applicant from receiving a permit or
25 license unless it can be shown by tests approved by the commission
26 that the defect incapacitates the applicant from safely operating a
27 motor vehicle.

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

33 If the commission has reasonable cause to suspect that any
34 document presented by an applicant as proof of identity, age, or
35 legal residency is altered, false, or otherwise invalid, the
36 commission shall refuse to grant the permit or license until the time
37 when the document may be verified by the issuing agency to the
38 commission's satisfaction.

39 A person violating this section shall be subject to a fine not
40 exceeding \$500 or imprisonment in the county jail for not more
41 than 60 days, but if that person has never been licensed to drive in
42 this State or any other jurisdiction, the applicant shall be subject to
43 a fine of not less than \$200 and, in addition, the court shall issue an
44 order to the commission requiring the commission to refuse to issue
45 a license to operate a motor vehicle to the person for a period of not
46 less than 180 days. The penalties provided for by this paragraph
47 shall not be applicable in cases where failure to have actual

1 possession of the operator's license is due to an administrative or
2 technical error by the commission.

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

6 As used in this section:

7 "Parking sensors" means proximity sensors which use either
8 electromagnetic or ultrasonic technology and are designed to alert
9 the driver to obstacles while parking.

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

14 (cf: P.L.2016, c.81, s.2)

15

16 ¹[2. Section 8 of P.L.1998, c.108 (C.27:5F-41) is amended to
17 read as follows:

18 8. a. he Director of the **【Office】** Division of Highway Traffic
19 Safety in the Department of Law and Public Safety, after
20 consultation with the Chief Administrator of the New Jersey Motor
21 Vehicle Commission in, but not of, the Department of
22 Transportation, shall develop curriculum guidelines for use by
23 teachers of approved classroom driver education courses. The
24 course of instruction for approved courses shall be no less than 30
25 hours in length and be designed to develop and instill the
26 knowledge and attitudes necessary for the safe operation and
27 driving of motor vehicles. Defensive driving, highway courtesy,
28 bicycle and pedestrian safety, dangers of driving a vehicle in an
29 aggressive manner, which shall include, but not be limited to,
30 unexpectedly altering the speed of a vehicle, making improper or
31 erratic traffic lane changes, disregarding traffic control devices,
32 failing to yield the right of way, and following another vehicle too
33 closely, accident avoidance, understanding and respect for the
34 State's motor vehicle laws, insurance fraud, and State requirements
35 for and benefits of maintaining automobile insurance shall be
36 emphasized. The incorporation of these curriculum guidelines in
37 these classroom courses and the use of related instructional
38 materials shall be a requirement for approval of the course by the
39 chief administrator.

40 b. The Director of the **【Office】** Division of Highway Traffic
41 Safety, in consultation with the Chief Administrator of the New
42 Jersey Motor Vehicle Commission, shall produce an informational
43 brochure for parents and guardians of beginning drivers under the
44 age of 18 years. The commission shall ensure that the parents or
45 guardians of a permit holder receive these brochures at the time a
46 permit is issued to a beginning driver. The brochures shall include,
47 but not be limited to, the following information:

48 (1) Setting an example for the beginning driver;

- 1 (2) Accident and fatality statistics about beginning drivers;
2 (3) Causes of accidents among beginning drivers;
3 (4) The need to supervise vehicle operation by a beginning
4 driver;
5 (5) Methods to coach a beginning driver on how to reduce
6 accidents;
7 (6) A description of the graduated driver's license program;
8 (7) Benefits of classroom and behind-the-wheel driver education
9 under the direction of State certified or licensed driving instructors,
10 as the case may be; and
11 (8) The dangers of driving a vehicle in an aggressive manner,
12 which shall include, but not be limited to, unexpectedly altering the
13 speed of a vehicle, making improper or erratic traffic lane changes,
14 disregarding traffic control devices, failing to yield the right of way,
15 and following another vehicle too closely.
16 (9) Maintaining an awareness of operating a motor vehicle in a
17 manner that safely shares the roadway with pedestrians, bicyclists,
18 skaters, riders of motorized-scooters and other non-motorized
19 vehicles, which shall include, but not be limited to, passing a cyclist
20 on the road, recognizing bicycle lanes, navigating intersections with
21 pedestrians and cyclists, and exiting a vehicle without endangering
22 pedestrians and cyclists.
23 (cf: P.L.2015, c.36, s.2)¹
24

25 ¹2. Section 8 of P.L.1998, c.108 (C.27:5F-41) is amended to
26 read as follows:

27 8. a. The Director of the Division of Highway Traffic Safety in
28 the Department of Law and Public Safety, after consultation with
29 the Chief Administrator of the New Jersey Motor Vehicle
30 Commission, shall develop curriculum guidelines for use by
31 teachers of approved classroom driver education courses. The
32 course of instruction for approved courses shall be no less than 30
33 hours in length and be designed to develop and instill the
34 knowledge and attitudes necessary for the safe operation and
35 driving of motor vehicles. Defensive driving; highway courtesy;
36 dangers of driving a vehicle in an aggressive manner, which shall
37 include, but not be limited to, unexpectedly altering the speed of a
38 vehicle, making improper or erratic traffic lane changes,
39 disregarding traffic control devices, failing to yield the right of way,
40 and following another vehicle too closely; accident avoidance;
41 understanding and respect for the State's motor vehicle laws;
42 techniques for the safe operation and proper maintenance of a
43 vehicle, which shall include, but not be limited to, safety tips to
44 avoid carbon monoxide poisoning from motor vehicles; insurance
45 fraud; operating a motor vehicle in a manner that safely shares the
46 roadway with pedestrians, cyclists, skaters, riders of motorized-
47 scooters, and other non-motorized vehicles, which shall include, but
48 not be limited to, passing a cyclist on the roadway, recognizing

1 bicycle lanes, navigating intersections with pedestrians and cyclists,
2 and exiting a vehicle without endangering pedestrians and cyclists;
3 and State requirements for and benefits of maintaining automobile
4 insurance shall be emphasized. The incorporation of these
5 curriculum guidelines in these classroom courses and the use of
6 related instructional materials shall be a requirement for approval of
7 the course by the chief administrator.

8 b. The Director of the Division of Highway Traffic Safety, in
9 consultation with the Chief Administrator of the New Jersey Motor
10 Vehicle Commission, shall produce an informational brochure for
11 parents and guardians of beginning drivers under the age of 18
12 years. The commission shall ensure that the parents or guardians of
13 a permit holder receive these brochures at the time a permit is
14 issued to a beginning driver. The brochures shall include, but not be
15 limited to, the following information:

16 (1) Setting an example for the beginning driver;

17 (2) Accident and fatality statistics about beginning drivers;

18 (3) Causes of accidents among beginning drivers;

19 (4) The need to supervise vehicle operation by a beginning
20 driver;

21 (5) Methods to coach a beginning driver on how to reduce
22 accidents;

23 (6) A description of the graduated driver's license program;

24 (7) Benefits of classroom and behind-the-wheel driver education
25 under the direction of State certified or licensed driving instructors,
26 as the case may be;

27 (8) The dangers of driving a vehicle in an aggressive manner,
28 which shall include, but not be limited to, unexpectedly altering the
29 speed of a 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; **[and]**

32 (9) The dangers of carbon monoxide poisoning from motor
33 vehicles and techniques for the safe operation and proper
34 maintenance of a vehicle, which shall include, but not be limited to,
35 safety tips to avoid carbon monoxide poisoning from motor
36 vehicles; and

37 (10) Maintaining an awareness of operating a motor vehicle in a
38 manner that safely shares the roadway with pedestrians, cyclists,
39 skaters, riders of motorized-scooters, and other non-motorized
40 vehicles, which shall include, but not be limited to, passing a cyclist
41 on the roadway, recognizing bicycle lanes, navigating intersections
42 with pedestrians and cyclists, and exiting a vehicle without
43 endangering pedestrians and cyclists.¹

44 (cf: P.L.2016, c.81, s.1)

45
46 3. This act shall take effect on the first day of the seventh month
47 after enactment.