

[First Reprint]

ASSEMBLY, No. 4743

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

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SYNOPSIS

Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on December 12, 2019, with amendments.

(Sponsorship Updated As Of: 12/17/2019)

1 AN ACT concerning documents, driver's licenses, and non-driver
2 identification cards provided by the New Jersey Motor Vehicle
3 Commission, amending various parts of the statutory law, and
4 supplementing Title 39 of the Revised Statutes.

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

8
9 1. R.S.39:1-1 is amended to read as follows:

10 39:1-1. As used in this subtitle, unless other meaning is clearly
11 apparent from the language or context, or unless inconsistent with
12 the manifest intention of the Legislature:

13 "Alley" means a public highway wherein the roadway does not
14 exceed 12 feet in width.

15 "Authorized emergency vehicles" means vehicles of the fire
16 department, police vehicles and such ambulances and other vehicles
17 as are approved by the chief administrator when operated in
18 response to an emergency call.

19 "Autocycle" means a three-wheeled motorcycle designed to be
20 controlled with a steering wheel and pedals in which the operator
21 and passenger may ride in a completely or partially enclosed seating
22 area that is equipped with a roll cage or roll hoops, safety seat belts
23 for each occupant, and anti-lock brakes.

24 "Automobile" includes all motor vehicles except motorcycles.

25 "Berm" means that portion of the highway exclusive of roadway
26 and shoulder, bordering the shoulder but not to be used for
27 vehicular travel.

28 "Business district" means that portion of a highway and the
29 territory contiguous thereto, where within any 600 feet along such
30 highway there are buildings in use for business or industrial
31 purposes, including but not limited to hotels, banks, office
32 buildings, railroad stations, and public buildings which occupy at
33 least 300 feet of frontage on one side or 300 feet collectively on
34 both sides of the roadway.

35 "Car pool" means two or more persons commuting on a daily
36 basis to and from work by means of a vehicle with a seating
37 capacity of nine passengers or less.

38 "Chief Administrator" or "Administrator" means the Chief
39 Administrator of the New Jersey Motor Vehicle Commission.

40 "Commercial motor vehicle" includes every type of motor-driven
41 vehicle used for commercial purposes on the highways, such as the
42 transportation of goods, wares and merchandise, excepting such
43 vehicles as are run only upon rails or tracks and vehicles of the
44 passenger car type used for touring purposes or the carrying of farm
45 products and milk, as the case may be.

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 AAP committee amendments adopted December 12, 2019.

1 "Commission" means the New Jersey Motor Vehicle
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
3 4).

4 "Commissioner" means the Commissioner of Transportation of
5 this State.

6 "Commuter van" means a motor vehicle having a seating
7 capacity of not less than seven nor more than 15 adult passengers,
8 in which seven or more persons commute on a daily basis to and
9 from work and which vehicle may also be operated by the driver or
10 other designated persons for their personal use.

11 "Crosswalk" means that part of a highway at an intersection,
12 either marked or unmarked existing at each approach of every
13 roadway intersection, included within the connections of the lateral
14 lines of the sidewalks on opposite sides of the highway measured
15 from the curbs or, in the absence of curbs, from the edges of the
16 shoulder, or, if none, from the edges of the roadway; also, any
17 portion of a highway at an intersection or elsewhere distinctly
18 indicated for pedestrian crossing by lines or other marking on the
19 surface.

20 "Curb extension" or "bulbout" means a horizontal extension of
21 the sidewalk into the street which results in a narrower roadway
22 section.

23 "Dealer" includes every person actively engaged in the business
24 of buying, selling or exchanging motor vehicles or motorcycles and
25 who has an established place of business.

26 "Deputy Chief Administrator" means the deputy chief
27 administrator of the commission.

28 "Driver" means the rider or driver of a horse, bicycle or
29 motorcycle or the driver or operator of a motor vehicle, unless
30 otherwise specified.

31 "Explosives" means any chemical compound or mechanical
32 mixture that is commonly used or intended for the purpose of
33 producing an explosion and which contains any oxidizing and
34 combustive units or other ingredients in such proportions, quantities
35 or packing that an ignition by fire, friction, by concussion, by
36 percussion, or by detonator of any part of the compound or mixture
37 may cause such a sudden generation of highly heated gases that the
38 resultant gaseous pressures are capable of producing destructive
39 effects on contiguous objects or of destroying life or limb.

40 "Farm tractor" means every motor vehicle designed and used
41 primarily as a farm implement for drawing plows, mowing
42 machines, and other implements of husbandry.

43 "Flammable liquid" means any liquid having a flash point below
44 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
45 pounds.

46 "Gross weight" means the combined weight of a vehicle and a
47 load thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is
2 used to transport two or more persons and shall include public
3 transportation, car pool, van pool, and other vehicles as determined
4 by regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of
6 every way publicly maintained when any part thereof is open to the
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the
11 roadway.

12 "Intersection" means the area embraced within the prolongation
13 of the lateral curb lines or, if none, the lateral boundary lines of two
14 or more highways which join one another at an angle, whether or
15 not one such highway crosses another.

16 "Laned roadway" means a roadway which is divided into two or
17 more clearly marked lanes for vehicular traffic.

18 "Leased limousine" means any limousine subject to regulation in
19 the State which:

20 a. Is offered for rental or lease, without a driver, to be operated
21 by a limousine service as the lessee, for the purpose of carrying
22 passengers for hire; and

23 b. Is leased or rented for a period of one year or more
24 following registration.

25 "Leased motor vehicle" means any motor vehicle subject to
26 registration in this State which:

27 a. Is offered for rental or lease, without a driver, to be operated
28 by the lessee, his agent or servant, for purposes other than the
29 transportation of passengers for hire; and

30 b. Is leased or rented for a period of one year or more
31 following registration.

32 "Limited-access highway" means every highway, street, or
33 roadway in respect to which owners or occupants of abutting lands
34 and other persons have no legal right of access to or from the same
35 except at such points only and in such manner as may be
36 determined by the public authority having jurisdiction over such
37 highway, street, or roadway; and includes any highway designated
38 as a "freeway" or "parkway" by authority of law.

39 "Local authorities" means every county, municipal and other
40 local board or body having authority to adopt local police
41 regulations under the Constitution and laws of this State, including
42 every county governing body with relation to county roads.

43 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
44 as defined in 49 [CFR] C.F.R. s.571.3(b), whose attainable speed is
45 more than 20 miles per hour but not more than 25 miles per hour on
46 a paved level surface and which is not powered by gasoline or

1 diesel fuel and complies with federal safety standards as set forth in
2 49 [CFR] C.F.R. s.571.500.

3 "Magistrate" means any municipal court and the Superior Court,
4 and any officer having the powers of a committing magistrate and
5 the chief administrator.

6 "Manufacturer" means a person engaged in the business of
7 manufacturing or assembling motor vehicles, who will, under
8 normal business conditions during the year, manufacture or
9 assemble at least 10 new motor vehicles.

10 "Metal tire" means every tire the surface of which in contact with
11 the highway is wholly or partly of metal or other hard nonresilient
12 material.

13 "Mid-block crosswalk" means a crosswalk located away from an
14 intersection, distinctly indicated by lines or markings on the
15 surface.

16 "Motorized bicycle" means a pedal bicycle having a helper motor
17 characterized in that either the maximum piston displacement is less
18 than 50 cc. or said motor is rated at no more than 1.5 brake
19 horsepower or is powered by an electric drive motor and said
20 bicycle is capable of a maximum speed of no more than 25 miles
21 per hour on a flat surface.

22 "Motorcycle" includes motorcycles, autocycles, motor bikes,
23 bicycles with motor attached and all motor-operated vehicles of the
24 bicycle or tricycle type, except motorized bicycles as defined in this
25 section, whether the motive power be a part thereof or attached
26 thereto and having a saddle or seat with driver sitting astride or
27 upon it or a platform on which the driver stands.

28 "Motor-drawn vehicle" includes trailers, semitrailers, or any
29 other type of vehicle drawn by a motor-driven vehicle.

30 "Motor vehicle" includes all vehicles propelled otherwise than by
31 muscular power, excepting such vehicles as run only upon rails or
32 tracks and motorized bicycles.

33 "Motorized scooter" means a miniature motor vehicle and
34 includes, but is not limited to, pocket bikes, super pocket bikes,
35 scooters, mini-scooters, sport scooters, mini choppers, mini
36 motorcycles, motorized skateboards and other vehicles with motors
37 not manufactured in compliance with Federal Motor Vehicle Safety
38 Standards and which have no permanent Federal Safety
39 Certification stickers affixed to the vehicle by the original
40 manufacturer. This term shall not include: electric personal
41 assistive mobility devices, motorized bicycles or low-speed
42 vehicles; or motorized wheelchairs, mobility scooters or similar
43 mobility assisting devices used by persons with physical
44 disabilities, or persons whose ambulatory mobility has been
45 impaired by age or illness.

46 "Motorized skateboard" means a skateboard that is propelled
47 otherwise than by muscular power.

1 "Motorized wheelchair" means any motor-driven wheelchair
2 utilized to increase the independent mobility, in the activities of
3 daily living, of an individual who has limited or no ambulation
4 abilities, and includes mobility scooters manufactured specifically
5 for such purposes and designed primarily for indoor use.

6 "Noncommercial truck" means every motor vehicle designed
7 primarily for transportation of property, and which is not a
8 "commercial vehicle."

9 "Official traffic control devices" means all signs, signals,
10 markings, and devices not inconsistent with this subtitle placed or
11 erected by authority of a public body or official having jurisdiction
12 for the purpose of regulating, warning, or guiding traffic.

13 "Omnibus" includes all motor vehicles used for the
14 transportation of passengers for hire, except commuter vans and
15 vehicles used in ridesharing arrangements and school buses, if the
16 same are not otherwise used in the transportation of passengers for
17 hire.

18 "Operator" means a person who is in actual physical control of a
19 vehicle or street car.

20 "Outside lane" means the lane nearest the curb or outer edge of
21 the roadway.

22 "Owner" means a person who holds the legal title of a vehicle, or
23 if a vehicle is the subject of an agreement for the conditional sale or
24 lease thereof with the right of purchase upon performance of the
25 conditions stated in the agreement and with an immediate right of
26 possession vested in the conditional vendee or lessee, or if a
27 mortgagor of a vehicle is entitled to possession, then the conditional
28 vendee, lessee or mortgagor shall be deemed the owner for the
29 purpose of this subtitle.

30 "Parking" means the standing or waiting on a street, road or
31 highway of a vehicle not actually engaged in receiving or
32 discharging passengers or merchandise, unless in obedience to
33 traffic regulations or traffic signs or signals.

34 "Passenger automobile" means all automobiles used and
35 designed for the transportation of passengers, other than omnibuses
36 and school buses.

37 "Pedestrian" means a person afoot.

38 "Person" includes natural persons, firms, copartnerships,
39 associations, and corporations.

40 "Pneumatic tire" means every tire in which compressed air is
41 designed to support the load.

42 "Pole trailer" means every vehicle without motive power
43 designed to be drawn by another vehicle and attached to the towing
44 vehicle by means of a reach, or pole, or by being boomed or
45 otherwise secured to the towing vehicle, and ordinarily used for
46 transporting long or irregularly shaped loads, such as poles, pipes,

1 or structural members capable, generally, of sustaining themselves
2 as beams between the supporting connections.

3 "Private road or driveway" means every road or driveway not
4 open to the use of the public for purposes of vehicular travel.

5 "Railroad train" means a steam engine, electric or other motor,
6 with or without cars coupled thereto, operated upon rails, except
7 street cars.

8 "REAL ID basic driver's license" means a basic driver's license
9 issued by the commission that complies with the provisions of the
10 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
11 supplementary thereto, and any federal regulations adopted
12 thereunder.

13 "REAL ID identification card" means an identification card
14 issued by the commission that complies with the provisions of the
15 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
16 supplementary thereto, and any federal regulations adopted
17 thereunder.

18 "REAL ID license" means any license to operate a motor vehicle
19 issued by the commission that complies with the provisions of the
20 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
21 supplementary thereto, and any federal regulations adopted
22 thereunder.

23 "REAL ID motorcycle license" means a motorcycle license
24 issued by the commission that complies with the provisions of the
25 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
26 supplementary thereto, and any federal regulations adopted
27 thereunder.

28 "REAL ID probationary license" means a probationary license
29 issued by the commission that complies with the provisions of the
30 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
31 supplementary thereto, and any federal regulations adopted
32 thereunder.

33 "Recreation vehicle" means a self-propelled or towed vehicle
34 equipped to serve as temporary living quarters for recreational,
35 camping or travel purposes and used solely as a family or personal
36 conveyance.

37 "Residence district" means that portion of a highway and the
38 territory contiguous thereto, not comprising a business district,
39 where within any 600 feet along such highway there are buildings
40 in use for business or residential purposes which occupy 300 feet or
41 more of frontage on at least one side of the highway.

42 "Ridesharing" means the transportation of persons in a motor
43 vehicle, with a maximum carrying capacity of not more than 15
44 passengers, including the driver, where such transportation is
45 incidental to the purpose of the driver. The term shall include such
46 ridesharing arrangements known as car pools and van pools.

1 "Right-of-way" means the privilege of the immediate use of the
2 highway.

3 "Road tractor" means every motor vehicle designed and used for
4 drawing other vehicles and not so constructed as to carry any load
5 thereon either independently or any part of the weight of a vehicle
6 or load so drawn.

7 "Roadway" means that portion of a highway improved, designed,
8 or ordinarily used for vehicular travel, exclusive of the berm or
9 shoulder. In the event a highway includes two or more separate
10 roadways, the term "roadway" as used herein shall refer to any such
11 roadway separately, but not to all such roadways, collectively.

12 "Safety zone" means the area or space officially set aside within
13 a highway for the exclusive use of pedestrians, which is so plainly
14 marked or indicated by proper signs as to be plainly visible at all
15 times while set apart as a safety zone.

16 "School bus" means every motor vehicle operated by, or under
17 contract with, a public or governmental agency, or religious or other
18 charitable organization or corporation, or privately operated for the
19 transportation of children to or from school for secular or religious
20 education, which complies with the regulations of the New Jersey
21 Motor Vehicle Commission affecting school buses, including
22 "School Vehicle Type I" and "School Vehicle Type II" as defined
23 below:

24 "School Vehicle Type I" means any vehicle designed to transport
25 16 or more passengers, including the driver, used to transport
26 enrolled children, and adults only when serving as chaperones, to or
27 from a school, school connected activity, day camp, summer day
28 camp, summer residence camp, nursery school, child care center,
29 preschool center or other similar places of education. Such vehicle
30 shall comply with the regulations of the New Jersey Motor Vehicle
31 Commission and either the Department of Education or the
32 Department of Human Services, whichever is the appropriate
33 supervising agency.

34 "School Vehicle Type II" means any vehicle designed to
35 transport less than 16 passengers, including the driver, used to
36 transport enrolled children, and adults only when serving as
37 chaperones, to or from a school, school connected activity, day
38 camp, summer day camp, summer residence camp, nursery school,
39 child care center, preschool center or other similar places of
40 education. Such vehicle shall comply with the regulations of the
41 New Jersey Motor Vehicle Commission and either the Department
42 of Education or the Department of Human Services, whichever is
43 the appropriate supervising agency.

44 "School zone" means that portion of a highway which is either
45 contiguous to territory occupied by a school building or is where
46 school crossings are established in the vicinity of a school, upon
47 which are maintained appropriate "school signs" in accordance with

1 specifications adopted by the chief administrator and in accordance
2 with law.

3 "School crossing" means that portion of a highway where school
4 children are required to cross the highway in the vicinity of a
5 school.

6 "Semitrailer" means every vehicle with or without motive power,
7 other than a pole trailer, designed for carrying persons or property
8 and for being drawn by a motor vehicle and so constructed that
9 some part of its weight and that of its load rests upon or is carried
10 by another vehicle.

11 "Shipper" means any person who shall deliver, or cause to be
12 delivered, any commodity, produce or article for transportation as
13 the contents or load of a commercial motor vehicle. In the case of a
14 sealed ocean container, "shipper" shall not be construed to include
15 any person whose activities with respect to the shipment are limited
16 to the solicitation or negotiation of the sale, resale, or exchange of
17 the commodity, produce or article within that container.

18 "Shoulder" means that portion of the highway, exclusive of and
19 bordering the roadway, designed for emergency use but not
20 ordinarily to be used for vehicular travel.

21 "Sidewalk" means that portion of a highway intended for the use
22 of pedestrians, between the curb line or the lateral line of a
23 shoulder, or if none, the lateral line of the roadway and the adjacent
24 right-of-way line.

25 "Sign." See "Official traffic control devices."

26 "Slow-moving vehicle" means a vehicle run at a speed less than
27 the maximum speed then and there permissible.

28 "Solid tire" means every tire of rubber or other resilient material
29 which does not depend upon compressed air for the support of the
30 load.

31 "Standard" means, when used to describe any license to operate
32 a motor vehicle or any identification card issued by the commission
33 under the provisions of this Title, that the issuance of the license or
34 identification card does not require proof of lawful presence in the
35 United States.

36 "Street" means the same as highway.

37 "Street car" means a car other than a railroad train, for
38 transporting persons or property and operated upon rails principally
39 within a municipality.

40 "Stop," when required, means complete cessation from
41 movement.

42 "Stopping or standing," when prohibited, means any cessation of
43 movement of a vehicle, whether occupied or not, except when
44 necessary to avoid conflict with other traffic or in compliance with
45 the directions of a police officer or traffic control sign or signal.

46 "Suburban business or residential district" means that portion of
47 highway and the territory contiguous thereto, where within any

1 1,320 feet along that highway there is land in use for business or
2 residential purposes and that land occupies more than 660 feet of
3 frontage on one side or collectively more than 660 feet of frontage
4 on both sides of that roadway.

5 "Through highway" means every highway or portion thereof at
6 the entrances to which vehicular traffic from intersecting highways
7 is required by law to stop before entering or crossing the same and
8 when stop signs are erected as provided in this chapter.

9 "Trackless trolley" means every motor vehicle which is propelled
10 by electric power obtained from overhead trolley wires but not
11 operated upon rails.

12 "Traffic" means pedestrians, ridden or herded animals, vehicles,
13 street cars, and other conveyances either singly, or together, while
14 using any highway for purposes of travel.

15 "Traffic control signal" means a device, whether manually,
16 electrically, mechanically, or otherwise controlled, by which traffic
17 is alternately directed to stop and to proceed.

18 "Trailer" means every vehicle with or without motive power,
19 other than a pole trailer, designed for carrying persons or property
20 and for being drawn by a motor vehicle and so constructed that no
21 part of its weight rests upon the towing vehicle.

22 "Truck" means every motor vehicle designed, used, or
23 maintained primarily for the transportation of property.

24 "Truck tractor" means every motor vehicle designed and used
25 primarily for drawing other vehicles and not so constructed as to
26 carry a load other than a part of the weight of the vehicle and load
27 so drawn.

28 "Van pooling" means seven or more persons commuting on a
29 daily basis to and from work by means of a vehicle with a seating
30 arrangement designed to carry seven to 15 adult passengers.

31 "Vehicle" means every device in, upon or by which a person or
32 property is or may be transported upon a highway, excepting
33 devices moved by human power or used exclusively upon stationary
34 rails or tracks or motorized bicycles.

35 (cf: P.L.2016, c.35, s.1)

36

37 ¹**[17.] 2.**¹ Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended
38 to read as follows:

39 2. The Legislature finds and declares that:

40 a. The Division of Motor Vehicle Services (DMV) is one of the
41 State's principal customer service agencies with regular and direct
42 contact with virtually every citizen;

43 b. The DMV has over 15 million contacts a year with the
44 public, including 39 million transactions, more than any other State
45 agency;

46 c. The DMV has responsibility for issuing and certifying motor
47 vehicle driver's licenses, ensuring the proper registration of motor

- 1 vehicles, as well as conducting safety and emissions inspections of
2 motor vehicles;
- 3 d. The public expects courteous, efficient and accessible
4 service from government agencies, including the DMV;
- 5 e. The DMV's failed security systems are contributing to a
6 growing national problem of identity theft that is costing New
7 Jersey and the nation millions of dollars each week;
- 8 f. In the past, the DMV has been unable to deal with fraud and
9 corruption because of inadequate funding, training, security,
10 internal controls and oversight;
- 11 g. The DMV must improve its security system and equipment,
12 and its fraud detection, training and monitoring so that fraudulent
13 driver's licenses, such as those used in the furtherance of terroristic
14 activities, will be eliminated;
- 15 h. Internal audits and controls and investigations are also
16 needed to detect patterns of fraud, theft, corruption, identity theft
17 and mismanagement in the issuance of driver's licenses,
18 registrations, and titles because DMV documents must be more
19 resistant to compromise;
- 20 i. Criminals have used counterfeit passports, Social Security
21 cards, county identification cards, pay stubs and W-2 forms to
22 obtain fraudulent driver's licenses and identification cards in
23 furtherance of identity-theft schemes;
- 24 j. Proper identification must be required at all phases of the
25 licensing and driver testing process to assure that only those persons
26 qualified to legally obtain licenses do so;
- 27 k. It is essential that DMV records be matched with Social
28 Security Administration records, when presented, in order to verify
29 the validity of Social Security numbers in DMV databases;
- 30 l. Cameras, armed security guards, panic buttons, alarms,
31 safety upgrades, card access systems and door replacements are
32 needed in order to prevent fraud;
- 33 m. Employees or agents of the DMV should be required to
34 undergo background checks and fingerprinting;
- 35 n. Cleaning crews and maintenance workers at DMV facilities
36 must be supervised by DMV employees to ensure the security of
37 DMV records;
- 38 o. In a time of rapidly changing information technology and
39 Internet communications, the DMV lacks an information
40 technology plan to bring it to the 21st Century and still operates on
41 a decades-old computer network with patchwork hardware,
42 antiquated software and obsolete display terminals that lack
43 processing abilities;
- 44 p. Previous DMV efforts to implement complex technological
45 mandates have failed, due to bureaucratic mismanagement,
46 inefficient planning and inadequate oversight, as characterized by
47 reports of the State Commission of Investigation;

- 1 q. The DMV has become a reactive agency, struggling to keep
2 up with the demands of newly legislated responsibilities, and
3 without the necessary resources to prevent fraud and corruption at
4 its front-line agencies and without the ability to provide even
5 adequate service to its six million customers;
- 6 r. The DMV needs a strategic business plan, which is a key to
7 the operation of an agency, and must work within the confines of
8 such plan in an effort to adopt best practices, improve customer
9 service and gain back the confidence of New Jersey citizens and the
10 Legislature;
- 11 s. The DMV's privatization of some of its agencies in July
12 1995 has created poor, disjointed and confused service delivery
13 without consistency among the agencies in terms of policies and
14 procedures, which has led to confusion and frustration in the minds
15 of New Jersey citizens;
- 16 t. The DMV privatization has also resulted in poorly paid
17 employees who have received inadequate benefits, resulting in a
18 high turnover rate at DMV agencies;
- 19 u. A major benefit to a State-operated DMV system is the
20 ability to centralize anti-fraud policies and procedures;
- 21 v. Historically, the privately-operated local motor vehicle
22 agencies have been plagued with long lines, poor customer service
23 and inadequate business practices that have routinely caused
24 network delays and failures for hours at a time;
- 25 w. The DMV would be in a better position to plan for long-term
26 improvements, replacements and daily operations if it had a
27 dedicated and consistent source of funding;
- 28 x. In order to address the various problems with the DMV, a
29 "FIX DMV Commission" was formed on April 25, 2002, by
30 Governor's Executive Order Number 19 to conduct a comprehensive
31 review of the DMV and to make recommendations on the
32 restructuring and reorganization of the agency;
- 33 y. The "FIX DMV Commission" has reported that the DMV is
34 in crisis and has recommended that a New Jersey Motor Vehicle
35 Commission be formed in, but not of, the Department of
36 Transportation to replace the current New Jersey Division of Motor
37 Vehicles with the purposes of: (1) identifying and regulating drivers
38 and motor vehicles to deter unlawful and unsafe acts; (2)
39 identifying and correcting vehicle defects and limiting the amount
40 of vehicle-produced air pollution; (3) focusing on and responding to
41 customer service and security issues; and (4) effectuating change by
42 bringing greater attention and resources to the needs of the
43 organization;
- 44 z. It is therefore in the public interest to create a New Jersey
45 Motor Vehicle Commission, the duties of which would include, but
46 not be limited to: (1) addressing the multitude of functions
47 assigned to it while curtailing fraudulent and criminal activities that

1 present threats to the State's security system; (2) following a multi-
2 year strategic business plan that is constantly reviewed and updated,
3 thus avoiding the need for the cyclical reforms that have
4 characterized its history; and (3) conducting operations on a fiscal
5 year budget, controlling fees sufficient to fund the budget, adopting
6 regulations regarding processes and fees; and implementing an
7 annual strategic business plan.

8 (cf: P.L.2003, c.13, s.2)

9

10 ¹3. (New section) The Legislature finds and declares that:

11 a. It is the responsibility of the State to ensure that all New
12 Jersey residents that are of driving age are properly trained, tested,
13 and insured in order to make public roads safer.

14 b. The State could improve roadway safety and automobile
15 insurance coverage by making driver's licenses and permits
16 available to any safe driver who meets all of the requirements
17 relating to the driver's ability to safely operate a motor vehicle, and
18 who provides proof of identity, qualifying age, and New Jersey
19 residency.

20 c. Fourteen states, the District of Columbia, and Puerto Rico
21 now allow individuals to drive if the individual is a qualified driver
22 and provides proof that establishes age, identity, and state
23 residency.

24 d. The measures in P.L. , c. (C.) (pending before the
25 Legislature as this bill) will protect the standard basic driver license
26 and non-driver identification card as a valid and respected form of
27 identification by requiring multiple documents, as deemed
28 acceptable by the commission, in order to obtain the standard basic
29 driver's license or non-driver identification card.

30 e. It is therefore the intent of the Legislature to support road
31 safety and privacy protections by making driver's licenses available
32 to any safe driver who meets all requirements relating to the
33 driver's ability to operate a motor vehicle, pursuant to R.S.39:3-10,
34 and who provides proof of identity, qualifying age, and residency
35 pursuant to the provisions of State law.¹

36

37 ¹4. Section 2 of P.L.1997, c.188 (C.39:2-3.4) is amended to read
38 as follows:

39 2. a. Notwithstanding the provisions of P.L.1963, c.73
40 (C.47:1A-1 et seq.) or any other law to the contrary, except as
41 provided in this act, the New Jersey Motor Vehicle Commission and
42 any officer, employee or contractor thereof shall not knowingly
43 disclose or otherwise make available to any person personal
44 information about any individual obtained by the commission in
45 connection with a motor vehicle record.

46 b. A person requesting a motor vehicle record including
47 personal information shall produce proper identification and shall

1 complete and submit a written request form provided by the chief
2 administrator for the commission's approval. The written request
3 form shall bear notice that the making of false statements therein is
4 punishable and shall include, but not be limited to, the requestor's
5 name and address; the requestor's driver's license number or
6 corporate identification number; the requestor's reason for
7 requesting the record; the driver's license number or the name,
8 address and birth date of the person whose driver record is
9 requested; the license plate number or VIN number of the vehicle
10 for which a record is requested; any additional information
11 determined by the chief administrator to be appropriate and the
12 requestor's certification as to the truth of the foregoing statements.
13 Prior to the approval of the written request form, the commission
14 may also require the requestor to submit documentary evidence
15 supporting the reason for the request.

16 In lieu of completing a written request form for each record
17 requested, the commission may permit a person to complete and
18 submit for approval of the chief administrator or the chief
19 administrator's designee, on a case by case basis, a written
20 application form for participation in a public information program
21 on an ongoing basis. The written application form shall bear notice
22 that the making of false statements therein is punishable and shall
23 include, but not be limited to, the applicant's name, address and
24 telephone number; the nature of the applicant's business activity; a
25 description of each of the applicant's intended uses of the
26 information contained in the motor vehicle records to be requested;
27 the number of employees with access to the information; the name,
28 title, and signature of the authorized company representative; and
29 any additional information determined by the chief administrator to
30 be appropriate. The chief administrator may also require the
31 applicant to submit a copy of its business credentials, such as a
32 license to do business or a certificate of incorporation. Prior to
33 approval by the chief administrator or the chief administrator's
34 designee, the applicant shall certify in writing as to the truth of all
35 statements contained in the completed application form.

36 c. Personal information shall be disclosed for use in connection
37 with matters of motor vehicle or driver safety and theft; motor
38 vehicle emissions; motor vehicle product alterations, recalls or
39 advisories; performance monitoring of motor vehicles and dealers
40 by motor vehicle manufacturers; and removal of non-owner records
41 from the original owner records of motor vehicle manufacturers to
42 carry out the purposes of the Automobile Information Disclosure
43 Act, Pub.L.85-506, the Motor Vehicle Information and Cost Saving
44 Act, Pub.L.92-513, the National Traffic and Motor Vehicle Safety
45 Act of 1966, Pub.L.89-563, the Anti-Car Theft Act of 1992,
46 Pub.L.102-519, and the Clean Air Act, Pub.L.88-206, and may be
47 disclosed as follows:

- 1 (1) For use by any government agency, including any court or
2 law enforcement agency in carrying out its functions, or any private
3 person or entity acting on behalf of a federal, State, or local agency
4 in carrying out its functions.
- 5 (2) For use in connection with matters of motor vehicle or driver
6 safety and theft; motor vehicle emissions; motor vehicle product
7 alterations, recalls, or advisories; performance monitoring of motor
8 vehicles, motor vehicle parts and dealers; motor vehicle market
9 research activities, including survey research; and the removal of
10 non-owner records from the original owner records of motor vehicle
11 manufacturers.
- 12 (3) For use in the normal course of business by a legitimate
13 business or its agents, employees, or contractors, but only:
 - 14 (a) to verify the accuracy of personal information submitted by
15 the individual to the business or its agents, employees, or
16 contractors; and
 - 17 (b) if such information as so submitted is not correct or is no
18 longer correct, to obtain the correct information, but only for the
19 purposes of preventing fraud by, pursuing legal remedies against, or
20 recovering on a debt or security interest against the individual.
- 21 (4) For use in connection with any civil, criminal, administrative
22 or arbitral proceeding in any federal, State, or local court or agency
23 or before any self-regulatory body, including service of process,
24 investigation in anticipation of litigation, and the execution or
25 enforcement of judgments and orders, or pursuant to an order of a
26 federal, State, or local court.
- 27 (5) For use in educational initiatives, research activities, and for
28 use in producing statistical reports, so long as the personal
29 information is not published, redisclosed, or used to contact
30 individuals and, in the case of educational initiatives, only to organ
31 procurement organizations as aggregated, non-identifying
32 information.
- 33 (6) For use by any insurer or insurance support organization, or
34 by a self-insured entity, or its agents, employees, or contractors, in
35 connection with claims investigation activities, antifraud activities,
36 rating or underwriting.
- 37 (7) For use in providing notice to the owners of towed or
38 impounded vehicles.
- 39 (8) For use by an employer or its agent or insurer to obtain or
40 verify information relating to a holder of a commercial driver's
41 license that is required under the "Commercial Motor Vehicle
42 Safety Act," 49 U.S.C.App.s.2710 et seq.
- 43 (9) For use in connection with the operation of private toll
44 transportation facilities.
- 45 (10) For use by any requestor, if the requestor demonstrates it
46 has obtained the notarized written consent of the individual to
47 whom the information pertains.

1 (11) For product and service mail communications from
2 automotive-related manufacturers, dealers and businesses, if the
3 commission has implemented methods and procedures to ensure
4 that:

5 (a) individuals are provided an opportunity, in a clear and
6 conspicuous manner, to prohibit such uses; and

7 (b) product and service mail communications from automotive-
8 related manufacturers, dealers and businesses will not be directed at
9 individuals who exercise their option under subparagraph (a) of this
10 paragraph.

11 (12) For use by an organ procurement organization designated
12 pursuant to 42 U.S.C.s.1320b-8 to serve in the State of New Jersey,
13 or any donor registry established by any such organization,
14 exclusively for the purposes of determining, verifying, and
15 recording organ and tissue donor designation and identity. For these
16 purposes, an organ procurement organization shall have electronic
17 access at all times, without exception, to real-time organ donor
18 designation and identification information. An organ procurement
19 organization may also have information for research activities,
20 pursuant to paragraph (5) of subsection c. of this section.

21 d. As provided by the federal "Drivers' Privacy Protection Act
22 of 1994," Pub.L.103-322, a person authorized to receive personal
23 information under paragraphs (1) through (10) of subsection c. of
24 this section may resell or redisclose the personal information only
25 for a use permitted by paragraphs (1) through (10) of subsection c.
26 of this section subject to regulation by the commission. A person
27 authorized to receive personal information under paragraph (11) of
28 subsection c. of this section may resell or redisclose the personal
29 information pursuant to paragraph (11) of subsection c. of this
30 section subject to regulation by the commission. An organization
31 authorized to receive personal information under paragraph (12) of
32 subsection c. of this section may redisclose the personal information
33 only for the purposes set forth in that paragraph.

34 e. As provided by the federal "Drivers' Privacy Protection Act
35 of 1994," Pub.L.103-322, a person authorized to receive personal
36 information under this section who resells or rediscloses personal
37 information covered by the provisions of **[this act] P.L.1997, c.188**
38 (C.39:2-3.3 et seq.) shall keep for a period of five years records
39 identifying each person or entity that receives information and the
40 permitted purpose for which the information will be used and shall
41 make such records available to the commission upon request. Any
42 person who receives, from any source, personal information from a
43 motor vehicle record shall release or disclose that information only
44 in accordance with **[this act] P.L.1997, c.188 (C.39:2-3.3 et seq.)**.

45 f. The release of personal information under this section shall
46 not include an individual's social security number except in
47 accordance with applicable State or federal law.

1 g. Notwithstanding any provision to the contrary, the
2 commission shall not use, or disclose to any federal, State, or local
3 law enforcement any motor vehicle record containing personal
4 information, or any personal information, as this term is defined in
5 section 1 of P.L.1997, c.188 (C.39:2-3.3), for any purposes related
6 to Title 8 of the United States Code without the informed consent of
7 the applicant, a warrant signed by a State or federal judge, lawful
8 court order, or subpoena, except that nothing in this section shall be
9 construed to prohibit, or in any way restrict, any action where such
10 prohibition or restriction would be contrary to federal law.

11 When responding to a warrant, court order, or subpoena, the
12 commission may disclose only those records or information
13 specifically requested in the warrant, court order, or subpoena.¹
14 (cf: P.L.2008, c.48, s.12)

15
16 ^{15.} (New section) a. An applicant for a standard basic driver's
17 license, standard motorcycle license, standard permit, standard
18 probationary license, or standard non-driver identification card shall
19 only be required to provide information or documentation necessary
20 to determine eligibility for the standard basic driver's license,
21 standard motorcycle license, standard permit, standard probationary
22 license, or standard non-driver identification card for which the
23 applicant has applied. This provision shall not prohibit voluntary
24 submission of documents as a proof of identity to obtain a standard
25 basic driver's license, standard motorcycle license, standard permit,
26 standard probationary license, or standard non-driver identification
27 card.

28 Any application form for a standard basic driver's license,
29 standard motorcycle license, standard permit, standard probationary
30 license, or standard non-driver identification card shall not request
31 or require an applicant to state the reason for which an applicant is
32 ineligible to receive a social security number.

33 b. The commission may not retain copies, scanned images, or
34 records of any kind of primary or secondary documents submitted
35 to establish eligibility to obtain a standard basic driver's license,
36 standard motorcycle license, standard permit, standard probationary
37 license, or standard non-driver identification card, in accordance
38 with the point based identification verification program established
39 pursuant to section 28 of P.L.2003, c.13 (C.39:2A-28), except when
40 necessary for purposes of investigating identity fraud, driver's
41 license fraud, or non-driver identification card fraud.

42 c. The commission shall not disclose or otherwise make
43 accessible for any purposes related to Title 8 of the United States
44 Code any portion of any record that identifies whether or not the
45 type of basic driver's license, motorcycle license, permit,
46 probationary license, or non-driver identification card that a person
47 has applied for complies with the provisions of the "REAL ID Act

1 of 2005,” Pub.L.109-13, any acts amendatory or supplementary
2 thereto, and any federal regulations adopted thereunder, except
3 where: (1) the applicant provides written informed consent to the
4 disclosure; (2) the requesting entity presents a warrant signed by a
5 State or federal judge, lawful court order, or subpoena; (3) required
6 by State or federal law; or (4) the disclosure is in connection with
7 an audit or investigation of identity fraud, driver’s license fraud, or
8 non-driver identification fraud.¹

9
10 ¹6. Section 28 of P.L.2003, c.13 (C.39:2A-28) is amended to
11 read as follows:

12 28. In addition to any powers and duties otherwise imposed by
13 **【this act】** P.L.2003, c.13 (39:2A-1 et al.), the chief administrator
14 shall have general responsibility for the implementation of **【this**
15 **act】** P.L.2003, c.13 (39:2A-1 et al.), and shall, without limitation:

16 a. Perform, exercise, and discharge the functions, powers, and
17 duties of the commission through such offices as may be established
18 by **【this act】** P.L.2003, c.13 (39:2A-1 et al.) or otherwise by law;

19 b. Administer and organize the work of the commission in such
20 organizational units, and from time to time alter the plan of
21 organization as deemed expedient, as necessary for the secure,
22 efficient and effective operation of the commission;

23 c. Appoint, remove, and fix the compensation of subordinate
24 officers and other personnel employed by the commission in
25 accordance with the commission's table of organization, except as
26 herein otherwise specifically provided;

27 d. Appoint, remove, and fix the compensation and terms of
28 employment of the deputy administrator, who shall serve in the
29 State unclassified service, in accordance with the commission's
30 table of organization;

31 e. Organize and maintain an administrative office and employ
32 therein such secretarial, clerical, and other assistants in the
33 commission as the internal operations of the commission may
34 require;

35 f. Formulate and adopt rules and regulations for the efficient
36 conduct of the work and general administration of the commission,
37 its officers and employees;

38 g. Prepare an annual budget, and submit it to the board;

39 h. Prepare annually, a strategic business plan and submit it to
40 the board, including a facilities improvement and management plan
41 and a table of organization;

42 i. Institute or cause to be instituted such legal proceedings or
43 processes as may be necessary to properly enforce and give effect to
44 any of the powers or duties of the chief administrator;

45 j. Report as the Governor shall from time to time request or as
46 may be required by law;

1 k. Collect all fees, fines, penalties, surcharges, service charges,
2 and other charges imposed by **【this act】** P.L.2003, c.13 (39:2A-1 et
3 al.) and the regulations issued pursuant thereto or pursuant to law;

4 l. Develop and maintain a master list of all assets;

5 m. Oversee the implementation of the facilities improvement
6 and management plan, in consultation with the State Treasurer;
7 **【and】**

8 n. Perform such other functions as may be prescribed in **【this**
9 **act】** P.L.2003, c.13 (39:2A-1 et al.) or by any other law or by the
10 board; and

11 o. Establish a point based identification verification program,
12 or a successor identification verification program as the chief
13 administrator deems appropriate, which shall be used to prove the
14 identity of any applicant for a basic driver's license, probationary
15 license, permit, or non-driver identification card.¹

16 (cf: P.L.2007, c.335, s.14)

17
18 ^{17.} (New section) In addition to the customer service and
19 security requirements set forth under this title, the Chief
20 Administrator of the New Jersey Motor Vehicle Commission shall
21 provide language translation services at each commission agency
22 and regional service center location that processes applications for
23 basic driver's licenses, permits, probationary driver's licenses, or
24 motor vehicle registration certificates. The language translation
25 services shall be provided in a language spoken and understood by
26 each applicant.

27 The commission shall translate its most commonly used
28 application forms as determined by the chief administrator into each
29 of the three languages, other than English, most commonly spoken
30 in the State. The chief administrator shall periodically, and at least
31 every five years, verify the three languages, other than English,
32 most commonly spoken in the State.¹

33
34 ¹**【2.】** ¹ R.S.39:3-10 is amended to read as follows:

35 39:3-10. A person shall not drive a motor vehicle on a public
36 highway in this State unless the person is under supervision while
37 participating in a behind-the-wheel driving course pursuant to
38 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
39 validated permit, or a probationary or basic driver's license issued to
40 that person in accordance with this article.

41 A person under 18 years of age shall not be issued a basic license
42 to drive motor vehicles, and a person shall not be issued a validated
43 permit, including a validated examination permit, until the applicant
44 has passed a satisfactory examination and other requirements as to
45 the applicant's ability as an operator. The examination shall
46 include: a test of the applicant's vision; the applicant's ability to
47 understand traffic control devices; the applicant's knowledge of safe

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

27 A person shall not sit for an examination for any permit without
28 exhibiting photo identification deemed acceptable by the
29 commission, unless that person is a high school student
30 participating in a course of automobile driving education approved
31 by the State Department of Education and conducted in a public,
32 parochial, or private school of this State, pursuant to section 1 of
33 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
34 written law knowledge examination for any person 18 years of age
35 or older possessing a valid driver's license issued by any other state,
36 the District of Columbia, or the United States Territories of
37 American Samoa, Guam, ¹Northern Mariana Islands,¹ Puerto Rico,
38 or the Virgin Islands. The commission shall be required to provide
39 that person with a booklet that highlights those motor vehicle laws
40 unique to New Jersey. A road test shall be required for a
41 probationary license and serve as a demonstration of the applicant's
42 ability to operate a vehicle of the class designated. During the road
43 test, an applicant may use a rear visibility system, parking sensors,
44 or other technology installed on the motor vehicle that enables the
45 applicant to view areas directly behind the vehicle or alerts the
46 applicant of obstacles while parking.

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

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

36 A person issued a motorcycle license pursuant to this section
37 may be issued a standard motorcycle license or a REAL ID
38 motorcycle license. ¹The chief administrator shall require an
39 applicant for a standard motorcycle license to provide as proof of
40 the applicant's identity, age, and residence primary and secondary
41 documents, with which the chief administrator shall attribute point
42 values in accordance with the point based identification verification
43 program established pursuant to section 28 of P.L.2003, c.13
44 (C.39:2A-28). The point total required to prove the identity of an
45 applicant for the standard motorcycle license shall be the same for
46 every applicant, regardless of immigration status. In the event that
47 the commission changes the point total threshold, the requirement

1 that every applicant reach the same point total threshold shall
2 remain in effect.¹

3 In addition to requiring the person to submit satisfactory proof of
4 identity and age, the commission shall require the person to
5 provide:

6 (1) as a condition for obtaining a standard motorcycle license,
7 two documents proof of the person's social security number and
8 one document providing satisfactory proof that the person is a New
9 Jersey resident and proof of the person's social security
10 number.¹

11 If the person does not have a social security number, the person
12 shall either:

13 (a) provide satisfactory proof of an Individual Taxpayer
14 Identification Number; or

15 (b)¹ indicate, in a manner prescribed by the commission and
16 consistent with all other provisions of P.L. , c. (C.)
17 (pending before the Legislature as this bill), that the person is not
18 eligible to receive a social security number; or

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

27 A standard motorcycle license shall indicate that the license shall
28 not be accepted as identification for an official purpose, as that term
29 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
30 acts amendatory or supplementary thereto, and any federal
31 regulations adopted thereunder¹, and shall bear a unique design or
32 color to indicate that the license shall not be accepted for such
33 official purpose.¹

34 The commission shall issue a standard basic driver's license or a
35 REAL ID basic driver's license to operate a motor vehicle other
36 than a motorcycle to a person over 18 years of age who previously
37 has not been licensed to drive a motor vehicle in this State or
38 another jurisdiction only if that person has: (1) operated a passenger
39 automobile in compliance with the requirements of this Title for not
40 less than one year, not including any period of suspension or
41 postponement, from the date of issuance of a probationary license
42 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
43 assessed more than two motor vehicle points; (3) not been convicted
44 in the previous year for a violation of R.S.39:4-50, section 2 of
45 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
46 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,

1 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
2 motor vehicle-related violation the commission determines to be
3 significant and applicable pursuant to regulation; and (4) passed an
4 examination of the applicant's ability to operate a motor vehicle
5 pursuant to this section.

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

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

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

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

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

46 Any person applying for a driver's license to operate a motor
47 vehicle or motorized bicycle in this State shall surrender to the

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

14 The commission shall create classified licensing of drivers
15 covering the following classifications:

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

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

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

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

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

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

44 The commission, upon payment of the lawful fee and after it or a
45 person authorized by it has examined the applicant and is satisfied
46 of the applicant's ability as an operator, may, in its discretion, issue
47 a license to the applicant to drive a motor vehicle. The license shall

1 authorize the person to drive any registered vehicle, of the kind or
2 kinds indicated.

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

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

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

27 **【Motorcycle】** Standard motorcycle license or endorsement:
28 \$18.

29 REAL ID motorcycle license: \$29.

30 Omnibus or school bus endorsement: \$18.

31 **【Basic】** Standard basic driver's license: \$18.

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

33 The commission shall waive the payment of fees for issuance of
34 omnibus endorsements whenever an applicant establishes to the
35 commission's satisfaction that the applicant will use the omnibus
36 endorsement exclusively for operating omnibuses owned by a
37 nonprofit organization duly incorporated under **1【Title】 Titles¹** 15
38 or 16 of the Revised Statutes or Title 15A of the New Jersey
39 Statutes.

40 The commission shall issue licenses for the following license
41 period on and after the first day of the calendar month immediately
42 preceding the commencement of the period, the licenses to be
43 effective immediately.

44 All applications for renewals of licenses shall be made in a
45 manner prescribed by the commission and in accordance with
46 procedures established by it.

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

8 ¹A person issued a basic driver's license pursuant to this section
9 may be issued a standard basic driver's license or a REAL ID basic
10 driver's license. The chief administrator shall require an applicant
11 for a standard basic driver's license to provide as proof of the
12 applicant's identity, age, and residence primary and secondary
13 documents, with which the chief administrator shall attribute point
14 values in accordance with the point based identification verification
15 program established pursuant to section 28 of P.L.2003, c.13
16 (C.39:2A-28). The point total required to prove the identity of an
17 applicant for the standard basic driver's license shall be the same
18 for every applicant, regardless of immigration status. In the event
19 that the commission changes the point total threshold, the
20 requirement that every applicant reach the same point total
21 threshold shall remain in effect.¹

22 In addition to requiring an applicant for a driver's license to
23 submit satisfactory proof of identity and age, the commission also
24 shall require the applicant to provide~~[],~~:

25 (1) as a condition for obtaining a permit and standard basic
26 driver's license, ~~["two documents"]~~ proof of the person's social
27 security number and one document¹ providing satisfactory proof
28 that the applicant is a New Jersey resident ~~["and proof of the~~
29 applicant's social security number"]¹. If the person does not have a
30 social security number, the person shall ¹either:

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

33 (b)¹ indicate, in a manner prescribed by the commission ¹and
34 consistent with all other provisions of P.L. , c. (C.)
35 (pending before the Legislature as this bill)¹ , that the person is not
36 eligible to receive a social security number; or

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

45 A standard basic driver's license shall indicate that the license
46 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 ¹], and shall bear a unique design or
4 color to indicate that the license shall not be accepted for such
5 official purpose ¹].

6 If the commission has reasonable cause to suspect that any
7 document presented by an applicant [as proof of identity, age, or
8 legal residency] pursuant to this section is altered, false, or
9 otherwise invalid, the commission shall refuse to grant the permit or
10 license until the time when the document may be verified by the
11 issuing agency to the commission's satisfaction.

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

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

26 Any documents and personal information, including an
27 applicant's photograph, obtained by the commission from an
28 applicant for a standard basic driver's license or standard
29 motorcycle license shall be confidential, shall not be considered a
30 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
31 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
32 access to government records, and shall not be disclosed by the
33 commission for ¹[the purpose of investigation, arrest, citation,
34 prosecution, or detention related to an applicant's citizenship or
35 immigration status] any purpose related to Title 8 of the United
36 States Code ¹ without the ¹informed ¹ consent of the applicant ¹[or
37 without a valid] , a warrant signed by a State or federal judge, or a
38 lawful ¹ court order or subpoena; except that ¹[the commission shall
39 not be restricted, prohibited, or prevented from maintaining, or
40 sending to or receiving from federal immigration authorities
41 information regarding the citizenship or immigration status, lawful
42 or unlawful, of any individual, pursuant to 8 U.S.C. s.1373 and 8
43 U.S.C. s.1644. Any person that knowingly discloses any documents
44 or personal information in violation of this section shall be guilty of
45 a crime of the fourth degree.] nothing in this section shall be
46 construed to prohibit, or in any way restrict, any action where such

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

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 ¹Information regarding an applicant's Individual Tax
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.¹

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.2017, c.374, s.1)

37

38 ¹**[3.] 9.**¹ R.S.39:3-31 is amended to read as follows:

39 39:3-31. a. The chief administrator, upon presentation of a
40 statement duly sworn to, stating that the original registration
41 certificate or original motorized bicycle registration certificate has
42 been destroyed, lost or stolen, may, if **[he]** the chief administrator
43 is satisfied that the facts as set forth in the statement are
44 substantially true, issue a duplicate or amended registration
45 certificate or motorized bicycle registration certificate to the
46 original holder thereof, upon the payment to the chief administrator
47 of a fee of \$5 for each duplicate or amended registration certificate

1 or motorized bicycle registration certificate so issued. The chief
2 administrator, upon presentation of a statement, duly sworn to,
3 stating that the original driver's license has been destroyed, lost or
4 stolen, or requesting a new color **[picture]** photograph, may, if
5 **[he]** the chief administrator is satisfied that the facts as set forth in
6 the statement are substantially true, issue a duplicate driver's license
7 to the original holder thereof, upon payment to the chief
8 administrator of a fee of \$5 in addition to the digitized **[picture]**
9 photograph fee. Notwithstanding any other provision of law to the
10 contrary, the fee for a duplicate or amended registration certificate
11 for any new passenger automobile required to be registered for a
12 48-month term or for any new passenger automobile leased for a
13 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

14 b. The chief administrator may waive the fee imposed for a
15 duplicate license under subsection a. of this section if the applicant,
16 at the time of application: is applying for a REAL ID license, as that
17 term is defined in R.S.39:1-1; currently holds a valid license to
18 operate a motor vehicle issued by the commission; and is not
19 eligible to renew the applicant's current license. The chief
20 administrator's authority to waive the duplicate license fee under
21 this subsection shall expire on October 1, 2020. In order to receive
22 a REAL ID license pursuant to this subsection, the applicant shall
23 first surrender to the commission the applicant's current license to
24 operate a motor vehicle.

25 (cf: P.L.2004, c.64, s.3)

26

27 ¹**[4.] 10.**¹ Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended
28 to read as follows:

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

1 10f4). The fee for a two-year REAL ID license shall be \$14.50, in
2 addition to the fee for a digitized photograph established in section
3 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may,
4 for good cause, extend a license and any endorsement thereon
5 beyond their expiration dates for periods not to exceed 12 additional
6 months. The chief administrator may extend the expiration date of
7 a license and any endorsement thereon without payment of a
8 proportionate fee when the chief administrator determines that the
9 extension is necessary for good cause. If any license and
10 endorsements thereon are so extended, the licensee shall pay upon
11 renewal the full license fee for the period fixed by the chief
12 administrator as if no extension had been granted.

13 Each initial driver's license issued to a person under the age of
14 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
15 shall be conspicuously distinct, through the use of color and design,
16 from the driver's licenses issued to persons 21 years of age or older.
17 The chief administrator, in consultation with the Superintendent of
18 State Police, shall determine the color and the manner in which the
19 license is designed to achieve this result. The license shall **[also]**
20 bear the words "UNDER 21" in a conspicuous manner. The chief
21 administrator shall provide that, upon attaining the age of 21, a
22 licensee shall be issued a replacement driver's license or a new
23 license, as appropriate. The fee for a replacement license shall be
24 \$5 in addition to the digitized **[picture]** photograph fee.

25 As conditions for the renewal of a driver's license, the chief
26 administrator shall provide that the **[picture]** photograph of a
27 licensee be updated except that the chief administrator may elect to
28 use a stored **[picture]** photograph to renew a license for a period
29 not exceeding four additional years for \$18 for a standard license
30 and \$29 for a REAL ID license, in addition to the digitized
31 **[picture]** photograph fee.

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

42 Whenever a person has reconstructive or cosmetic surgery which
43 significantly alters the person's facial features, the person shall
44 notify the chief administrator who may require the **[picture]**
45 photograph of the licensee to be updated for \$5 in addition to the
46 digitized **[picture]** photograph fee.

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

7 Specific use of the driver's license and any information stored or
8 encoded, electronically or otherwise, in relation thereto shall be in
9 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
10 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.
11 Notwithstanding the provisions of any other law to the contrary, the
12 digitized **[picture]** photograph or any access thereto or any use
13 thereof shall not be sold, leased, or exchanged for value.
14 (cf: P.L.2015, c.306, s.1)

15
16 ¹**[5.] 11.**¹ Section 4 of P.L.2001, c.391 (C.39:3-10f4) is
17 amended to read as follows:

18 4. The fee for a digitized **[picture]** photograph shall be \$6 for
19 each license, renewal, or duplicate thereof, and shall be in addition
20 to the fee presently authorized for the issuance of a driver's license
21 pursuant to R.S.39:3-10.
22 (cf: P.L.2001, c.391, s.4)

23
24 ¹**[6.] 12.**¹ R.S.39:3-13 is amended to read as follows:

25 39:3-13. The chief administrator may, in the chief
26 administrator's discretion, issue to a person over 17 years of age an
27 examination permit, under the hand and seal of the chief
28 administrator, allowing such person, for the purpose of fitting the
29 person to become a licensed driver, to operate a designated class of
30 motor vehicles other than passenger automobiles and motorcycles
31 for a specified period of not more than 90 days, while in the
32 company and under the supervision of a driver licensed to operate
33 such designated class of motor vehicles.

34 The chief administrator, in the chief administrator's discretion,
35 may issue for a specified period of not less than one year a
36 passenger automobile or motorcycle-only examination permit to a
37 person over 17 years of age regardless of whether a person has
38 completed a course of behind-the-wheel automobile driving
39 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).
40 An examination permit applicant who is under 18 years of age shall
41 obtain the signature of a parent or guardian for submission to the
42 commission on a form prescribed by the chief administrator. The
43 chief administrator shall postpone for six months the driving
44 privileges of any person who submits a fraudulent signature for a
45 parent or guardian.

46 For six months immediately following the validation of an
47 examination permit, and until the holder passes the road test, the

1 holder who is less than 21 years of age shall operate the passenger
2 automobile only when accompanied by, and under the supervision
3 of, a New Jersey licensed driver who is at least 21 years of age and
4 has been licensed to drive a passenger automobile for not less than
5 three years. The holder of an examination permit who is at least 21
6 years of age shall operate the passenger automobile for the first
7 three months under such supervision and until the holder passes the
8 road test. The supervising driver of the passenger automobile shall
9 sit in the front seat of the vehicle. Whenever operating a vehicle
10 while in possession of an examination permit, the holder of the
11 permit shall operate the passenger automobile with only one
12 additional passenger in the vehicle excluding dependents of the
13 permit holder, except that this passenger restriction shall not apply
14 when the permit holder is at least 21 years of age or when the
15 permit holder is accompanied by a parent or guardian. Further, the
16 holder of the passenger automobile permit who is less than 21 years
17 of age shall not drive during the hours between 11:01 p.m. and 5
18 a.m.; provided, however, that this condition may be waived for an
19 emergency which, in the judgment of local police, is of sufficient
20 severity and magnitude to substantially endanger the health, safety,
21 welfare, or property of a person, or for any bona fide employment
22 or religion-related activity if the employer or appropriate religious
23 authority provides written verification of such activity in a manner
24 provided for by the chief administrator. The holder of the
25 examination permit shall not use any hand-held or hands-free
26 interactive wireless communication device, except in an emergency,
27 while operating a moving passenger automobile on a public road or
28 highway. "Use" shall include, but not be limited to, talking or
29 listening on any hand-held or hands-free interactive wireless
30 communication device or operating its keys, buttons, or other
31 controls. The passenger automobile permit holder shall ensure that
32 all occupants of the vehicle are secured in a properly adjusted and
33 fastened seat belt or child restraint system.

34 The holder of an examination permit subject to the provisions of
35 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a
36 motorcycle at any time from a half-hour after sunset to a half-hour
37 before sunrise. A motorcycle operated by the holder of an
38 examination permit shall carry only the operator and shall not be
39 operated on any toll road over which the New Jersey Turnpike
40 Authority or the South Jersey Transportation Authority has
41 jurisdiction or on any limited-access interstate highway.

42 The holder of any examination permit shall not operate a
43 motorcycle having a motor with a maximum piston displacement
44 that is less than 50 cubic centimeters or a motor that is rated at no
45 more than 1.5 brake horsepower with a maximum speed of no more
46 than 35 miles per hour on a flat surface at anytime from a half-hour
47 after sunset to a half-hour before sunrise and shall not operate the

1 motorcycle with any other passenger. The holder of any
2 examination permit shall not operate such a motorcycle upon
3 limited-access interstate highways or public roads or highways with
4 a posted speed limit greater than 35 miles per hour.

5 An applicant for an examination permit subject to the provisions
6 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18
7 years of age, shall be required to successfully complete a
8 motorcycle safety education course established pursuant to the
9 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a
10 condition for obtaining a motorcycle license or endorsement.

11 The chief administrator shall provide the holder of an
12 examination permit with two removable, transferable, highly
13 visible, reflective decals indicating that the driver of the vehicle
14 may be the holder of an examination permit. The decals shall be
15 designed by the chief administrator, in consultation with the
16 Division of Highway Traffic Safety in the Department of Law and
17 Public Safety. The chief administrator may charge a fee for the
18 decals not to exceed the actual cost of producing and distributing
19 the decals. The decals shall be displayed in a manner prescribed by
20 the chief administrator, in consultation with the Division of
21 Highway Traffic Safety in the Department of Law and Public
22 Safety, and shall be clearly visible to law enforcement officers. The
23 holder of an examination permit shall not operate a vehicle unless
24 the decals are displayed. The decal shall be removed once the
25 driver's examination permit period has ended.

26 When notified by a court of competent jurisdiction that an
27 examination permit holder has been convicted of a violation which
28 causes the permit holder to accumulate more than two motor vehicle
29 points or has been convicted of a violation of R.S.39:4-50; section 2
30 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189
31 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
32 P.L.2017, c.165 (C.2C:11-5.3)**[,]**; subsection c. of N.J.S.2C:12-1;
33 or any other motor vehicle-related law the chief administrator
34 deems significant and applicable pursuant to regulation, in addition
35 to any other penalty that may be imposed, the chief administrator
36 shall, without the exercise of discretion or a hearing, suspend the
37 examination permit holder's examination permit for 90 days. The
38 chief administrator shall restore the permit following the term of the
39 permit suspension if the permit holder satisfactorily completes a
40 remedial training course of not less than four hours which may be
41 given by the commission, a driving school licensed by the chief
42 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),
43 or any Statewide safety organization approved by the chief
44 administrator. The course shall be subject to oversight by the
45 commission according to its guidelines. The permit holder shall
46 also remit a course fee prior to the commencement of the course.
47 The chief administrator also shall postpone without the exercise of

1 discretion or a hearing the issuance of a basic license for 90 days if
2 the chief administrator is notified by a court of competent
3 jurisdiction that the examination permit holder, after completion of
4 the remedial training course, has been convicted of any motor
5 vehicle violation which results in the imposition of any motor
6 vehicle points or has been convicted of a violation of R.S.39:4-50;
7 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
8 **【c.182】** c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5**【.】**;
9 subsection c. of N.J.S.2C:12-1; or any other motor vehicle-related
10 law the chief administrator deems significant and applicable
11 pursuant to regulation. When the chief administrator is notified by
12 a court of competent jurisdiction that an examination permit holder
13 has been convicted of any alcohol or drug-related offense unrelated
14 to the operation of a motor vehicle and is not otherwise subject to
15 any other suspension penalty therefor, the chief administrator shall,
16 without the exercise of discretion or a hearing, suspend the
17 examination permit for six months.

18 An examination permit for a motorcycle or a commercial motor
19 vehicle issued to a person with a disability, as determined by the
20 New Jersey Motor Vehicle Commission after consultation with the
21 Department of Education, shall be valid for nine months or until the
22 completion of the road test portion of the license examination,
23 whichever period is shorter.

24 Each permit shall be sufficient license for the person to operate
25 such designated class of motor vehicles in this State during the
26 period specified, while in the company of and under the control of a
27 driver licensed by this State to operate such designated class of
28 motor vehicles, or, in the case of a commercial driver license
29 permit, while in the company of and under the control of a holder of
30 a valid commercial driver license for the appropriate license class
31 and with the appropriate endorsements issued by this or any other
32 state. Such person, as well as the licensed driver, except for a motor
33 vehicle examiner administering a driving skills test, shall be held
34 accountable for all violations of this subtitle committed by such
35 person while in the presence of the licensed driver.

36 In addition to requiring an applicant for an examination permit to
37 submit satisfactory proof of identity and age ¹in accordance with
38 the type of license for which the applicant has applied¹, the chief
39 administrator also shall require the applicant to provide¹**【,** as a
40 condition for obtaining the permit, **two】** the requisite number of¹
41 documents providing satisfactory proof that the **【applicant's**
42 **presence in the United States is authorized under federal law】**
43 applicant is a resident of the State ¹**【. An applicant for a**
44 **commercial driver license permit shall submit satisfactory proof**
45 **that the applicant's presence in the United States is authorized**
46 **under federal law and proof of the applicant's social security**
47 **number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any**

1 acts amendatory or supplementary thereto, and any federal
2 regulations adopted thereunder.】 in accordance with the provisions
3 of R.S.39:3-10.

4 Any documents and personal information, including an
5 applicant's photograph, obtained by the commission from an
6 applicant for a standard permit shall be confidential, shall not be
7 considered a government record pursuant to P.L.1963, c.73
8 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
9 common law concerning access to government records, and shall
10 not be disclosed by the commission for any purposes related to Title
11 8 of the United States Code without the informed consent of the
12 applicant, a warrant signed by a State or federal judge, or a lawful
13 court order or subpoena; except that nothing in this section shall be
14 construed to prohibit, or in any way restrict, any action where such
15 prohibition or restriction would be contrary to federal law. When
16 responding to a warrant, court order, or subpoena, the commission
17 may disclose only those records or information specifically
18 requested in the warrant, court order, or subpoena.

19 Possession of a standard permit issued pursuant to this section
20 shall not be considered evidence of an individual's citizenship or
21 immigration status and shall not be used as a basis for an
22 investigation, arrest, citation, prosecution, or detention.

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

41 If the chief administrator has reasonable cause to suspect that
42 any document presented by an applicant 【as proof of identity, age,
43 or legal residency】 pursuant to this section is altered, false, or
44 otherwise invalid, the chief administrator shall refuse to grant the
45 permit until such time as the document may be verified by the
46 issuing agency to the chief administrator's satisfaction.

1 ¹A person violating this section shall be subject to a fine not
2 exceeding \$500 or imprisonment in the county jail for not more
3 than 60 days, but if that person has never been licensed to drive in
4 this State or any other jurisdiction, the applicant shall be subject to
5 a fine of not less than \$200 and, in addition, the court shall issue an
6 order to the commission requiring the commission to refuse to issue
7 a license to operate a motor vehicle to the person for a period of not
8 less than 180 days.¹

9 The holder of an examination permit shall be required to take a
10 road test in order to obtain a probationary license. No road test for
11 any person who has been issued an examination permit to operate a
12 passenger vehicle shall be given unless the person has met the
13 requirements of this section. No road test for a probationary license
14 shall be given unless the applicant has first secured an examination
15 permit and no such road test shall be scheduled for an applicant
16 who has secured an examination permit for a passenger vehicle or a
17 motorcycle for which an endorsement is not required until at least
18 six months for an applicant under 21 years of age or three months
19 for an applicant 21 years of age or older shall have elapsed
20 following the validation of the examination permit for practice
21 driving or, in the case of an examination permit for other vehicles,
22 until 20 days have elapsed. In the case of an omnibus endorsement
23 or school bus, no road test shall be scheduled until at least 10 days
24 shall have elapsed. Every applicant for an examination permit to
25 qualify for an omnibus endorsement or an articulated vehicle
26 endorsement shall be a holder of a valid basic driver's license.

27 The required fees for special learner's permits and examination
28 permits shall be as follows:

- 29 Basic driver's license.....up to \$10
30 Motorcycle license or endorsement.....\$ 5
31 Omnibus or school bus endorsement.....\$25

32 The chief administrator shall waive the payment of fees for
33 issuance of examination permits for omnibus endorsements
34 whenever the applicant establishes to the chief administrator's
35 satisfaction that said applicant will use the omnibus endorsement
36 exclusively for operating omnibuses owned by a nonprofit
37 organization duly incorporated under ¹**[Title]** Titles¹ 15 or 16 of
38 the Revised Statutes or Title 15A of the New Jersey Statutes.

39 The specified period for which a permit is issued may be
40 extended for not more than an additional 60 days, without payment
41 of an added fee, upon application made by the holder thereof, where
42 the holder has applied to take the examination for a driver's license
43 prior to the expiration of the original period for which the permit
44 was issued and the chief administrator was unable to schedule an
45 examination during said period.

46 As a condition for the issuance of an examination permit under
47 this section, the chief administrator shall secure a digitized

1 **【picture】** photograph of the applicant. The **【picture】** photograph
2 shall be stored in a manner prescribed by the chief administrator
3 and may be displayed on the examination permit.

4 The chief administrator may require that whenever a person to
5 whom an examination permit has been issued has reconstructive or
6 cosmetic surgery which significantly alters the person's facial
7 features, the person shall notify the chief administrator who may
8 require the **【picture】** photograph of the person to be updated.

9 Specific use of the examination permit and any information
10 stored or encoded, electronically or otherwise, in relation thereto
11 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and
12 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-
13 322. Notwithstanding the provisions of any other law to the
14 contrary, the digitized **【picture】** photograph or any access thereto or
15 any use thereof shall not be sold, leased, or exchanged for value.
16 (cf: P.L.2017, c.165, s.11)

17

18 ¹**【7.】** 13.¹ Section 1 of P.L.1950, c.127 (C.39:3-13.1) is
19 amended to read as follows:

20 1. The Chief Administrator of the New Jersey Motor Vehicle
21 Commission may issue to a person over 16 years of age a special
22 learner's permit, under the hand and seal of the chief administrator,
23 allowing such person, for the purpose of preparing ¹**【himself】**¹
24 to qualify for a probationary license for a passenger automobile by
25 operating a dual pedal controlled motor vehicle while taking a
26 required course of behind-the-wheel automobile driving education
27 approved by the State Department of Education and conducted in a
28 public, parochial, or private school of this State or a course of
29 behind-the-wheel automobile driving instruction conducted by a
30 drivers' school duly licensed pursuant to the provisions of P.L.1951,
31 c.216 (C.39:12-1 et seq.). The special learner's permit shall be
32 issued in lieu of the examination permit provided for in R.S.39:3-
33 13.

34 In addition to requiring an applicant for a permit to submit
35 satisfactory proof of identity and age ¹in accordance with the type
36 of license for which the applicant has applied¹, the chief
37 administrator also shall require the applicant to provide ¹**【**, as a
38 condition for obtaining the permit, **two】** the requisite number of¹
39 documents providing satisfactory proof that the **【applicant's**
40 presence in the United States is authorized under federal law】
41 applicant is a resident of the State.

42 ¹Any documents and personal information, including an
43 applicant's photograph, obtained by the commission from an
44 applicant for a standard permit shall be confidential, shall not be
45 considered a government record pursuant to P.L.1963, c.73
46 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the

1 common law concerning access to government records, and shall
2 not be disclosed by the commission for any purpose related to Title
3 8 of the United States Code without the informed consent of the
4 applicant, a warrant signed by a State or federal judge, or a lawful
5 court order or subpoena; except that nothing in this section shall be
6 construed to prohibit, or in any way restrict, any action where such
7 prohibition or restriction would be contrary to federal law. When
8 responding to a warrant, court order, or subpoena, the commission
9 may disclose only those records or information specifically
10 requested in the warrant, court order, or subpoena.

11 Possession of a standard permit issued pursuant to this section
12 shall not be considered evidence of an individual's citizenship or
13 immigration status and shall not be used as a basis for an
14 investigation, arrest, citation, prosecution, or detention.

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

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

39 ¹A 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.¹

1 The special learner's permit described above, when issued to a
2 person taking a course of behind-the-wheel driving education
3 conducted in a public, parochial, or private school, shall be retained
4 in the office of the school principal at all times except during such
5 time as the person to whom the permit is issued is undergoing
6 behind-the-wheel automobile driving instruction. The chief
7 administrator may make such rules and regulations as he may deem
8 necessary to carry out the provisions of this section.

9 (cf: P.L.2009, c.38, s.7)

10
11 ¹[8.] 14.¹ Section 4 of P.L.1950, c.127 (C.39:3-13.4) is
12 amended to read as follows:

13 4. a. The holder of a special learner's permit shall be entitled
14 to a probationary driver's license (1) upon attaining the age of 17
15 years, (2) upon the satisfactory completion of an approved behind-
16 the-wheel driver training course as indicated upon the face of the
17 special permit over the signature of the principal of the school or
18 the person operating the driving school in which the course was
19 conducted, (3) upon the completion of six months' driving
20 experience with a validated special learner's permit in compliance
21 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),
22 and (4) upon passing the road test pursuant to R.S.39:3-10.

23 b. The holder of a probationary license shall be permitted to
24 operate the passenger automobile with only one additional
25 passenger in the vehicle besides any dependent of the probationary
26 license holder, except that this passenger restriction shall not apply
27 when the holder of the probationary license is at least 21 years of
28 age or the probationary license holder is accompanied by a parent or
29 guardian. Further, the holder of the probationary license who is
30 under 21 years of age shall not drive during the hours between
31 11:01 p.m. and 5 a.m.; provided however, that this condition may
32 be waived for an emergency which, in the judgment of local police,
33 is of sufficient severity and magnitude to substantially endanger the
34 health, safety, welfare, or property of a person or for any bona fide
35 employment or religion-related activity if the employer or
36 appropriate religious authority provides written verification of such
37 activity in a manner provided for by the chief administrator.

38 c. The holder of the probationary license shall not use any
39 hand-held or hands-free interactive wireless communication device,
40 except in an emergency, while operating a moving passenger
41 automobile on a public road or highway. "Use" shall include, but
42 not be limited to, talking or listening on any hand-held or hands-
43 free interactive wireless communication device or operating its
44 keys, buttons, or other controls. In addition, the holder of the
45 probationary license shall ensure that all occupants of the vehicle
46 are secured in a properly adjusted and fastened seat belt or child
47 restraint system.

1 d. In addition to any other penalties provided under law, the
2 holder of a probationary license who accumulates more than two
3 motor vehicle points or is convicted of a violation of R.S.39:4-50;
4 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
5 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
6 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or
7 any other motor vehicle law the chief administrator deems to be
8 significant and applicable pursuant to regulation shall, for the first
9 violation, be required to satisfactorily complete a remedial training
10 course of not less than four hours which may be given by the
11 commission, a driving school licensed by the chief administrator
12 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any
13 Statewide safety organization approved by the chief administrator.
14 The course shall be administered pursuant to rules and regulations
15 promulgated by the chief administrator and subject to oversight by
16 the commission. The authority of the chief administrator to
17 suspend, revoke, or deny issuance of an initial or renewal license to
18 operate a driving school or an instructor's license, and to assess
19 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to
20 any violations related to the administration of a remedial training
21 course. The license holder shall also remit a course fee prior to the
22 commencement of the course.

23 e. When notified by a court of competent jurisdiction that a
24 probationary license holder has been convicted of a second or
25 subsequent violation, in addition to any other penalties provided
26 under law, the chief administrator shall, without the exercise of
27 discretion or a hearing, suspend the probationary license for three
28 months, and shall postpone eligibility for a basic license for an
29 equivalent period. In addition, when the chief administrator is
30 notified by a court of competent jurisdiction that a probationary
31 license holder has been convicted of any alcohol or drug-related
32 offense unrelated to the operation of a motor vehicle, and he is not
33 otherwise subject to any other suspension penalty therefor, the chief
34 administrator shall, without the exercise of discretion or a hearing,
35 suspend the probationary license for six months.

36 f. The chief administrator shall provide the holder of a
37 probationary license with two removable, transferable, highly
38 visible, reflective decals indicating that the driver of the vehicle
39 may be the holder of a probationary license. The decals shall be
40 designed by the chief administrator, in consultation with the
41 Division of Highway Traffic Safety in the Department of Law and
42 Public Safety. The chief administrator may charge a fee for the
43 decals not to exceed the actual cost of producing and distributing
44 the decals. The decals shall be displayed in a manner prescribed by
45 the chief administrator, in consultation with the Division of
46 Highway Traffic Safety in the Department of Law and Public
47 Safety, and shall be clearly visible to law enforcement officers. The

1 holder of a probationary license shall not operate a vehicle unless
2 the decals are displayed. The decal shall be removed once the
3 driver's probationary license period has ended.

4 g. A probationary license may be sent by mail and shall be
5 clearly identifiable and distinguishable in appearance from a basic
6 license by any name, mark, color, or device deemed appropriate by
7 the chief administrator.

8 h. A person issued a probationary license pursuant to this
9 section may be issued a standard probationary license or a REAL
10 ID probationary license. ¹The chief administrator shall require an
11 applicant for a standard probationary license to provide as proof of
12 the applicant's identity, age, and residence primary and secondary
13 documents, with which the chief administrator shall attribute point
14 values in accordance with the point based identification verification
15 program established pursuant to section 28 of P.L.2003, c.13
16 (C.39:2A-28). The point total required to prove the identity of an
17 applicant for the standard probationary license shall be the same for
18 every applicant, regardless of immigration status. In the event that
19 the commission changes the point total threshold, the requirement
20 that every applicant reach the same point total threshold shall
21 remain in effect.¹

22 In addition to requiring an applicant for a probationary license to
23 submit satisfactory proof of identity and age, the chief administrator
24 shall require the applicant to provide:

25 (1) as a condition for obtaining a standard probationary license,
26 ¹[two documents] proof of the applicants social security number
27 and one document¹ providing satisfactory proof that the applicant is
28 a New Jersey resident ¹[and proof of the applicant's social security
29 number]¹. If the applicant does not have a social security number,
30 the applicant shall ¹either:

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

33 (b)¹ indicate, in a manner prescribed by the commission ¹and
34 consistent with all other provisions of P.L. , c. (C.)
35 (pending before the Legislature as this bill)¹, that the person is not
36 eligible to receive a social security number; or

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

45 A standard probationary license shall indicate that the license
46 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 ¹], and shall bear a unique design or
4 color to indicate that the license shall not be accepted for such
5 official purpose¹.

6 If the chief administrator has reasonable cause to suspect that
7 any document presented by an applicant pursuant to this section is
8 altered, false, or otherwise invalid, the chief administrator shall
9 refuse to grant the probationary license until such time as the
10 document may be verified by the issuing agency to the chief
11 administrator’s satisfaction.

12 ¹A person violating this section shall be subject to a fine not
13 exceeding \$500 or imprisonment in the county jail for not more
14 than 60 days, but if that person has never been licensed to drive in
15 this State or any other jurisdiction, the applicant shall be subject to
16 a fine of not less than \$200 and, in addition, the court shall issue an
17 order to the commission requiring the commission to refuse to issue
18 a license to operate a motor vehicle to the person for a period of not
19 less than 180 days.¹

20 i. Any documents and personal information, including an
21 applicant’s photograph, obtained by the commission from an
22 applicant for a standard probationary license shall be confidential,
23 shall not be considered a government record pursuant to P.L.1963,
24 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
25 common law concerning access to government records, and shall
26 not be disclosed by the commission for ¹[the purpose of
27 investigation, arrest, citation, prosecution, or detention related to an
28 applicant’s citizenship or immigration status] any purpose related
29 to Title 8 of the United States Code¹ without the ¹informed¹
30 consent of the applicant ¹[or without a valid] , a warrant signed by
31 a State or federal judge, or a lawful¹ court order or subpoena;
32 except that ¹[the commission shall not be restricted, prohibited, or
33 prevented from maintaining, or sending to or receiving from federal
34 immigration authorities information regarding the citizenship or
35 immigration status, lawful or unlawful, of any individual, pursuant
36 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly
37 discloses any documents or personal information in violation of this
38 section shall be guilty of a crime of the fourth degree.] nothing in
39 this section shall be construed to prohibit, or in any way restrict,
40 any action where such prohibition or restriction would be contrary
41 to federal law. When responding to a warrant, court order, or
42 subpoena, the commission may disclose only those records or
43 information specifically requested in the warrant, court order, or
44 subpoena.

45 Possession of a standard probationary license issued pursuant to
46 this section shall not be considered evidence of an individual’s

1 citizenship or immigration status and shall not be used as a basis for
2 an investigation, arrest, citation, prosecution, or detention.
3 Information regarding an applicant's Individual Tax
4 Identification Number, social security number, or ineligibility to
5 receive a social security number obtained by the commission for the
6 issuance of a standard probationary license pursuant to this section,
7 shall not be considered a government record pursuant to P.L.1963,
8 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
9 common law concerning access to government records, and shall
10 not be disclosed by the commission except where: (1) required by
11 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
12 provides written informed consent to the disclosure; (3) the
13 requesting entity presents a warrant signed by a State or federal
14 judge, a lawful court order, or a subpoena; (4) required by State or
15 federal law, and to the extent that the disclosure may be necessary
16 to permit the State to participate in the National Driver Register
17 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
18 disclosure is in connection with an audit or investigation of identity
19 fraud, driver's license fraud, or non-driver identification card
20 fraud.¹
21 (cf: P.L.2017, c.165, s.13)

22
23 ¹[9.] 15.¹ Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended
24 to read as follows:

25 2. a. (1) The New Jersey Motor Vehicle Commission shall
26 issue an identification card to any resident of the State who is 14
27 years of age or older and who is not the holder of a valid permit or
28 basic driver's license. The identification card shall attest to the true
29 name, correct age, and veteran status, upon submission of
30 satisfactory proof, by any veteran, and shall contain other
31 identifying data as certified by the applicant for such identification
32 card. Every application for an identification card shall be signed
33 and verified by the applicant and shall be accompanied by the
34 written consent of at least one parent or the person's legal guardian
35 if the person is under 17 years of age and shall be supported by such
36 documentary evidence of the age, identity, and veteran status, or
37 blindness, or disability of such person as the chief administrator
38 may require.

39 ¹A person issued an identification card pursuant to this section
40 may be issued a standard identification card or a REAL ID
41 identification card. The chief administrator shall require any
42 applicant for a standard identification card to provide as proof of
43 the applicant's identity, age, and residence primary and secondary
44 documents, with which the chief administrator shall attribute point
45 values in accordance with the point based identification verification
46 program established pursuant to section 28 of P.L.2003, c.13
47 (C.39:2A-28). The point total required to prove the identity of an

1 applicant for the standard probationary license shall be the same for
2 every applicant, regardless of immigration status. In the event that
3 the commission changes the point total threshold, the requirement
4 that every applicant reach the same point total threshold shall
5 remain in effect.¹

6 In addition to requiring an applicant for an identification card to
7 submit satisfactory proof of identity, age, and, if appropriate,
8 veteran status, the chief administrator also shall require the
9 applicant to provide~~the~~:

10 (a) as a condition for obtaining ~~the~~ a standard identification
11 card, ~~two documents~~ proof of the applicant's social security
12 number and one document¹ providing satisfactory proof that the
13 applicant is a New Jersey resident ~~and proof of the applicant's~~
14 ~~social security number~~¹. If the applicant does not have a social
15 security number, the applicant shall ¹either:

16 (i) provide satisfactory proof of an Individual Taxpayer
17 Identification Number; or

18 (ii)¹ indicate, in a manner prescribed by the commission ¹and
19 consistent with all other provisions of P.L. , c. (C.)
20 (pending before the Legislature as this bill)¹ , that the applicant is
21 not eligible to receive a social security number; or

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

30 Any documents and personal information, including an
31 applicant's photograph, obtained by the commission from an
32 applicant for a standard identification card shall be confidential,
33 shall not be considered a government record pursuant to P.L.1963,
34 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
35 common law concerning access to government records, and shall
36 not be disclosed by the commission for ¹the purpose of
37 investigation, arrest, citation, prosecution, or detention related to an
38 applicant's citizenship or immigration status any purposes related
39 to Title 8 of the United States Code¹ without the ¹informed¹ consent
40 of the applicant ¹or without a valid¹ , a warrant signed by a State
41 or federal judge, or a lawful¹ court order or subpoena; except that
42 ¹the commission shall not be restricted, prohibited, or prevented
43 from maintaining, or sending to or receiving from federal
44 immigration authorities information regarding the citizenship or
45 immigration status, lawful or unlawful, of any individual, pursuant
46 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly

1 discloses any documents or personal information in violation of this
2 section shall be guilty of a crime of the fourth degree.】 nothing in
3 this section shall be construed to prohibit, or in any way restrict,
4 any action where such prohibition or restriction would be contrary
5 to federal law. When responding to a warrant, court order, or
6 subpoena, the commission may disclose only those records or
7 information specifically requested in the warrant, court order, or
8 subpoena.¹

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

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

31 If the chief administrator has reasonable cause to suspect that
32 any document presented by an applicant **【as proof of identity, age,**
33 **veteran status, or legal residency】 pursuant to this section** is altered,
34 false or otherwise invalid, the chief administrator shall refuse to
35 grant the identification card until such time as the document may be
36 verified by the issuing agency to the chief administrator's
37 satisfaction.

38 ¹A person violating this section shall be subject to a fine not
39 exceeding \$500 or imprisonment in the county jail for not more
40 than 60 days.¹

41 (2) In addition to the requirements for the form and content of
42 an identification card pursuant to this section, the Chief
43 Administrator of the New Jersey Motor Vehicle Commission shall,
44 upon submission of satisfactory proof, designate on an
45 identification card that the card holder is a Gold Star Family
46 member. The commission shall provide to the Department of
47 Military and Veterans' Affairs personal identifying information for

1 any person issued an identification card with a Gold Star Family
2 designation pursuant to this section.

3 b. The designation of veteran status on an identification card
4 shall not be deemed sufficient valid proof of veteran status for
5 official governmental purposes when any other statute, or any
6 regulation or other directive of a governmental entity, requires
7 documentation of veteran status.

8 c. For the purpose of this section:

9 "Gold Star Family member" means a spouse, domestic partner,
10 partner in a civil union, parent, brother, sister, child, legal guardian,
11 or other legal custodian, whether of the whole or half blood or by
12 adoption, of a member of the Armed Forces of the United States or
13 National Guard, who lost his or her life while on active duty for the
14 United States.

15 "REAL ID identification card" shall have the same meaning as
16 provided in R.S.39:1-1.

17 "Veteran" means a person who has been honorably discharged
18 from the active military service of the United States ¹or from
19 service in the New Jersey National Guard¹; and

20 "Satisfactory proof" means, in the case of a veteran, a copy of
21 form ¹NGB-22,¹ DD-214 or federal activation orders showing
22 service under Title 10, section 672 or section 12301, of the United
23 States Code, or a county veteran identification card only if issuance
24 of the card requires a copy of form DD-214 discharge papers or
25 approved separation forms as outlined by all branches of the
26 military and duly recorded by the county clerk's office. In the case
27 of a Gold Star Family member, satisfactory proof includes any or
28 all of the following:

29 (1) a certification from the Department of New Jersey of
30 American Gold Star Mothers, Inc., or any other organization formed
31 for the support of family members of members of the Armed Forces
32 of the United States or National Guard, who lost their lives while on
33 active duty for the United States, that the applicant is either the
34 spouse, domestic partner, partner in a civil union, parent, brother,
35 sister, child, legal guardian, or other legal custodian, whether of the
36 whole or half blood or by adoption, of a member of the armed
37 forces or National Guard who died while on active duty for the
38 United States; or

39 (2) (a) documentation deemed acceptable by the Adjutant
40 General, including, but not limited to, a federal DD Form 1300,
41 Report of Casualty, or a federal DD Form 2064, Certificate of
42 Death Overseas, which identifies the member of the Armed Forces
43 of the United States or National Guard who died while on active
44 duty for the United States; and

45 (b) documentation indicating the applicant's relationship to the
46 service member.

47 (cf: P.L.2019, c.255, s.2)

1 ¹**[10.] 16.**¹ Section 3 of P.L.1980, c.47 (C.39:3-29.4) is
2 amended to read as follows:

3 3. Every identification card authorized by section 2 of **[this**
4 **act]** P.L.1980, c.47 (C.39:3-29.3) shall bear a color **[picture]**
5 photograph of the person to whom it is issued and shall be issued
6 upon the **[standard license]** form prescribed by the **[Division of**
7 **Motor Vehicles]** New Jersey Motor Vehicle Commission for color
8 **[picture]** photograph drivers' licenses, except that the card shall
9 prominently contain the words "For Identification Only." A
10 standard identification card shall indicate that the identification card
11 shall not be accepted as identification for an official purpose, as that
12 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
13 any acts amendatory or supplementary thereto, and any federal
14 regulations adopted thereunder ¹**[, and shall bear a unique design or**
15 **color to indicate that the identification card shall not be accepted for**
16 **such official purpose]**¹.

17 (cf: P.L.1999, c.28, s.7)

18

19 ¹**[11.] 17.**¹ Section 4 of P.L.1980, c.47 (C.39:3-29.5) is
20 amended to read as follows:

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

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

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

7 b. If the chief administrator issues **[an]** a REAL ID
 8 identification card to a person who has demonstrated authorization
 9 to be present in the United States for a period of time shorter than
 10 the standard periods of identification cards, the chief administrator
 11 shall fix the expiration date of the REAL ID identification card at a
 12 date based on the period in which the person is authorized to be
 13 present in the United States under federal immigration laws. The
 14 chief administrator may renew such **[an]** REAL ID identification
 15 card only if it is demonstrated that the person's continued presence
 16 in the United States is authorized under federal law.
 17 (cf: P.L.2017, c.131, s.153)

18

19 ¹**[12.] 18.** Section 6 of P.L.1980, c.47 (C.39:3-29.7) is
 20 amended to read as follows:

21 6. a. The chief administrator shall charge fees as follows:

22	<u>Standard</u> Identification Card, Original	\$18
23	Identification Card, Duplicate	\$5
24	Identification Card, Renewal	\$18
25	<u>REAL ID</u> Identification Card	<u>\$29</u>
26	Digitized [picture] <u>photograph</u>	\$6, in addition
27		to the fees
28		required above

29 b. The chief administrator may waive the fees established
 30 under subsection a. of this section for a homeless person who
 31 submits proof of temporary residence through a social worker or the
 32 coordinator of an emergency shelter for the homeless where the
 33 person is temporarily residing. For the purposes of this section,
 34 "homeless person" means a person without a domicile who is
 35 unable to secure permanent and stable housing as determined by a
 36 social worker or the coordinator of an emergency shelter for the
 37 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et
 38 seq.).

39 c. The chief administrator may waive the fee imposed for a
 40 duplicate identification card if the applicant, at the time of
 41 application: is applying for a REAL ID identification card, as that
 42 term is defined in R.S.39:1-1; currently holds a valid identification
 43 card issued by the commission; and is not eligible to renew the
 44 applicant's current identification card. The chief administrator's
 45 authority to waive the duplicate identification card fee under this
 46 subsection shall expire on October 1, 2020. In order to receive a
 47 REAL ID identification card pursuant to this subsection, the

1 applicant shall first surrender to the commission the applicant's
2 current identification card.

3 (cf: P.L.2016, c.99, s.1)

4

5 ¹~~13.~~ 19.¹ Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is
6 amended to read as follows:

7 15. a. Insurers shall put in writing all underwriting rules
8 applicable to each rate level utilized pursuant to section 14 of
9 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account
10 factors, including, but not limited to, driving record characteristics
11 appropriate for underwriting and classification in formulating its
12 underwriting rules; provided that no underwriting rule based on
13 motor vehicle violations shall be formulated in such a manner as to
14 assign any named insured to a rating tier other than the standard
15 rating tier applicable to the insured's territory solely on the basis of
16 accumulating four motor vehicle points or less. No underwriting
17 rule shall operate in such a manner as to assign a risk to a rating
18 plan on the basis of the territory in which the insured resides or any
19 other factor which the commissioner finds is a surrogate for
20 territory. No underwriting rule shall operate in such a manner as to
21 assign a risk to a rating plan on the basis of an insured holding a
22 standard motorcycle license or standard basic driver's license issued
23 pursuant to R.S.39:3-10, or standard probationary license issued
24 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer
25 which knowingly fails to transact automobile insurance consistently
26 with its underwriting rules shall be subject to a fine of not less than
27 \$1,000 for each violation.

28 b. All underwriting rules applicable to each rate level as
29 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall
30 be filed with the commissioner and shall be subject to ~~his~~ the
31 commissioner's prior approval. All underwriting rules shall be
32 subject to public inspection. Except as provided in subsection d. of
33 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their
34 underwriting rules uniformly and without exception throughout the
35 State, so that every applicant or insured conforming with the
36 underwriting rules will be insured or renewed, and so that every
37 applicant not conforming with the underwriting rules will be
38 refused insurance.

39 c. An insurer with more than one rating plan for private
40 passenger automobile insurance policies providing identical
41 coverages shall not adopt underwriting rules which would permit a
42 person to be insured for private passenger automobile insurance
43 under more than one of the rating plans.

44 d. An insurer that revises its underwriting rules with respect to
45 the assignment of insureds to rating tiers based on the number of
46 accumulated motor vehicle points, as provided by subsection a. of
47 this section, as amended by P.L.2003, c.89, shall certify to the

1 commissioner that the revised rule will produce rates that are
2 revenue neutral based upon the insurer's current coverages and book
3 of business.

4 (cf: P.L.2003, c.89, s.40)

5

6 ¹**[14.] 20.**¹ Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended
7 to read as follows:

8 2. Each application for a driver's license, or a renewal thereof,
9 required by R.S.39:3-10 shall contain the street address of the place
10 of residence **[or business]** of the licensee at the time of application
11 or renewal. A post office box shall appear on a driver's license
12 application only as part of a mailing address that is submitted by the
13 licensee in addition to the street address of the licensee's residence
14 **[or business]**; provided, however, the **[director]** chief
15 administrator, upon application, shall permit a person who was a
16 victim of a violation of **[N.J.S.2C:12-10]** section 1 of P.L.1992,
17 c.209 (C.2C:12-10), N.J.S.2C:14-2, or **[N.J.S.2C:25-17 et seq.]**
18 P.L.1991, c.261 (C.2C:25-17 et seq.), or who the **[director]** chief
19 administrator otherwise determines to have good cause, to use as a
20 mailing address a post office box, an address other than the
21 applicant's address or other contact point. A licensee whose last
22 address appears on the records of the **[division]** commission as a
23 post office box shall change the address on the application for
24 renewal to the street address of the licensee's residence **[or**
25 **business]** and, if different from the street address, **[his]** the
26 licensee's mailing address unless the **[director]** chief administrator
27 has determined, pursuant to this section, that the licensee may use a
28 post office box, an address other than the licensee's address or other
29 contact point as a mailing address.

30 (cf: P.L.1997, c.189, s.2)

31

32 ¹21. (New section) The Chief Administrator of the New Jersey
33 Motor Vehicle Commission shall permit a license or identification
34 card holder to amend the notation on the person's license or
35 identification card to reflect legal changes, in accordance with the
36 provisions of section 1 of P.L.1984, c.191 (C.26:8-40.12).¹

37

38 ¹**[15.] 22.**¹ (New section) ¹a. A person or entity shall not
39 discriminate against any person based upon the fact that the person
40 applied for, was issued, holds, or presents a standard basic driver's
41 license, standard motorcycle license, standard permit, standard
42 probationary license, or standard identification card.¹

43 The holder of a standard basic driver's license or standard
44 motorcycle license issued pursuant to R.S.39:3-10, standard
45 probationary license issued pursuant to section 4 of P.L.1950, c.127
46 (C.39:3-13.4), and standard identification card issued pursuant to

1 section 2 of P.L.1980, c.47 (C.39:3-29.3), shall have the
2 opportunity to obtain employment and to obtain all the
3 accommodations, advantages, facilities, and privileges of any place
4 of public accommodation, publicly assisted housing accommodation
5 in which the person meets all qualifications for receipt of the
6 publicly assisted housing accommodation under State or federal
7 law, and other real property without discrimination by reason of
8 holding or presenting a standard basic driver's license, standard
9 motorcycle license, standard probationary license, or standard
10 identification card, subject only to conditions and limitations
11 applicable alike to all persons.

12 Nothing in this section shall be construed to alter an employer's
13 rights or obligations under 8 U.S.C. s.1324a regarding obtaining
14 documentation evidencing identity and authorization for
15 employment. ¹【An action taken by an employer that is required by
16 8 U.S.C. s.1324a shall not constitute a violation of this section.】
17 Any action that is required by federal or State law or regulation, or
18 by government contract shall not constitute a violation of this
19 section.

20 b. The provisions of this section shall also apply to the State,
21 any political subdivision of the State, any agency or instrumentality
22 of the State, and to any political subdivision of the State, and the
23 employees, officers, or officials thereof, including law enforcement
24 officers. Employees, officers, or officials, including law
25 enforcement officers shall accept any standard basic driver's
26 license, standard motorcycle license, standard permit, standard
27 probationary license, or standard identification card, as proof of
28 identity, age, and State residency of its holder and shall not
29 discriminate against an individual based upon the fact that the
30 individual applied for, was issued, holds, or presents a standard
31 basic driver's license, standard motorcycle license, standard permit,
32 standard probationary license, or standard identification card.¹

33
34 ¹【16.】 23.¹ Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is
35 amended to read as follows:

36 16. a. On and after the effective date of P.L.2007, c.335
37 (C.39:2A-36.1 et al.), the board may, by regulation adopted
38 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
39 (C.52:14B-1 et seq.), increase fees and surcharges collected
40 pursuant to the following statutes, notwithstanding any law, rule, or
41 regulation to the contrary:

42 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of
43 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152
44 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6
45 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108
46 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-
47 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of

1 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-
2 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);
3 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,
4 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);
5 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162
6 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);
7 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-
8 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,
9 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);
10 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,
11 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);
12 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77
13 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-
14 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of
15 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-
16 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);
17 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2
18 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307
19 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section
20 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;
21 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,
22 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);
23 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,
24 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156
25 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of
26 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-
27 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of
28 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-
29 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of
30 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-
31 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;
32 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-
33 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;
34 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,
35 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

36 b. (1) In determining an appropriate increase of any fee or
37 surcharge pursuant to subsection a. of this section, the board shall
38 consider at least the following factors: (a) the year in which the fee
39 or surcharge was last increased; (b) the actual costs to the State of
40 New Jersey for administering any transaction, process, filing,
41 registration, inspection, audit, or any license, permit, or other
42 document issuance, for which the fee or surcharge is collected; and
43 (c) the annual percentage increase in the Consumer Price Index or
44 other similar relevant index.

45 No fee or surcharge set forth in this section shall be increased by
46 regulation more than once during any five-year period, and no such
47 fee or surcharge shall be increased beyond an amount that exceeds

1 the actual costs to the State of New Jersey for administering any
2 transaction, process, filing, registration, inspection, audit, or any
3 license, permit, or other document issuance, for which the fee or
4 surcharge is collected.

5 (2) All increases in a fee or surcharge after the first increase
6 shall also be subject to the following limitation: the increase shall
7 not exceed the cumulative annual percentage increase in the
8 Consumer Price Index for the five fiscal years prior to the date of
9 the proposed subsequent increase.

10 (3) All increases in fees or surcharges imposed by regulation
11 proposed to be adopted in a calendar year shall be consolidated in
12 one single regulatory proposal in that calendar year.

13 (4) As used in this section, the "Consumer Price Index" means
14 the consumer price index for all urban consumers in the New York
15 City and Philadelphia areas as reported by the Department of Labor
16 or successor index.

17 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13
18 (C.39:2A-36), 100 percent of the increased revenues collected from
19 such increase shall be remitted to the commission.

20 (cf: P.L.2007, c.335, s.16)

21

22 **18.** 24.¹ R.S.39:3-41 is amended to read as follows:

23 39:3-41. a. At the time of the issuance of an examination
24 permit or a special learner's permit to operate a motor vehicle, the
25 chief administrator shall make available to each applicant for the
26 examination permit or special learner's permit a driver's manual
27 containing information required to be known and followed by
28 licensed drivers relating to licensing requirements.

29 b. At the time of any required examination for renewal of a
30 driver's license, the chief administrator shall upon request make
31 available to each applicant for renewal a copy of the manual and
32 any supplements thereto.

33 c. The driver's manual and any supplements thereto or any
34 other booklet or writing prepared in connection with examinations
35 for drivers' licenses or for renewals of drivers' licenses shall contain
36 all information necessary to answer any question on an examination
37 for a driver's license or for a renewal of a driver's license.

38 The chief administrator shall publish the driver's manual on the
39 website of the commission in English and each of the three
40 languages, other than English, most commonly spoken in the State,
41 as determined by the chief administrator. The chief administrator
42 shall periodically, and at least every five years, verify the three
43 languages, other than English, most commonly spoken in the State.

44 d. The chief administrator, following consultation with the
45 organ procurement organizations designated pursuant to 42 U.S.C.
46 s.1320b-8 to serve in the State of New Jersey, shall include in the
47 driver's manual information explaining the provisions of the

1 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77
2 et al.), the beneficial uses of donated organs and tissues, and the
3 procedure for indicating on the driver's license the intention to
4 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-
5 12.2). The chief administrator may distribute all remaining copies
6 of the existing driver's manual before reprinting the manual with the
7 information required pursuant to this subsection.

8 e. The chief administrator, in consultation with the Nikhil
9 Badlani Foundation, shall include in the driver's manual
10 information explaining the dangers of failing to comply with this
11 State's motor vehicle traffic laws and indicating that interested
12 drivers may take the STOP for Nikhil Safety Pledge set forth in
13 paragraph (1) of this subsection.

14 (1) The "STOP for Nikhil Safety Pledge" is as follows:

15 "In order to ensure the safety of others on the road, passengers in
16 my car, and myself as a driver, I pledge to obey traffic laws while
17 operating a motor vehicle, be extra cautious, and be attentive to
18 traffic signs and signals and road conditions. Specifically:

19 I will come to a complete stop at every "stop" sign or red traffic
20 light, and will not proceed through a red traffic light;

21 I will stay alert, keep two hands on the steering wheel whenever
22 possible, and keep my mind on the road;

23 I will talk safely by using a hands-free wireless telephone while
24 driving if I am of lawful age to do so and refrain from texting while
25 driving; and I will plan ahead and leave enough time to arrive at my
26 destination."

27 (2) The chief administrator shall ensure that drivers have the
28 option of taking the pledge set forth in paragraph (1) of this
29 subsection by filling out a standard form made available at motor
30 vehicle offices or by following instructions publicized by the chief
31 administrator directing interested drivers to the appropriate website
32 to complete the pledge.

33 (3) The chief administrator may distribute all remaining copies
34 of the existing driver's manual before reprinting the manual with the
35 information required pursuant to this subsection.

36 f. The chief administrator, in consultation with the
37 Commissioner of Health and the Director of the Division of
38 Highway Traffic Safety in the Department of Law and Public
39 Safety, shall include in the driver's manual information explaining
40 the dangers of carbon monoxide poisoning from motor vehicles and
41 techniques for the safe operation and proper maintenance of a motor
42 vehicle. The chief administrator may distribute all remaining
43 copies of any existing driver's manual before reprinting the manual
44 with the information required pursuant to this subsection.

45 (cf: P.L.2016, c.81, s.3)

1 ¹【19.】 25.¹ (New section) The Chief Administrator of the New
2 Jersey Motor Vehicle Commission, in consultation with the
3 Attorney General, shall establish a public awareness campaign for
4 the duration of 24 months following the effective date of
5 P.L. , c. (C.) (pending before the Legislature as this bill) to
6 inform the general public about the availability of and the
7 requirements to obtain a standard and REAL ID basic driver’s
8 license, motorcycle license, probationary license, and identification
9 card.

10

11 ¹【20.】 26.¹ (New section) a. There is created an advisory board
12 to be known as the “Standard and REAL ID Driver License and
13 Identification Card Advisory Board.”

14 b. The purpose of the advisory board shall be to review the
15 implementation of the provisions of P.L. , c. (C.) (pending
16 before the Legislature as this bill) by the New Jersey Motor Vehicle
17 Commission and the issuance of standard and REAL ID basic
18 driver’s licenses, motorcycle licenses, probationary licenses, and
19 identification cards by the commission. The advisory board shall
20 provide guidance to the commission concerning public awareness
21 and education of the differences between standard and REAL ID
22 basic driver’s licenses, motorcycle licenses, probationary licenses,
23 and identification cards and how to obtain standard and REAL ID
24 basic driver’s licenses, motorcycle licenses, probationary licenses,
25 and identification cards.

26 c. The advisory board shall consist of 11 members as follows:

27 (1) the Chief Administrator of the New Jersey Motor Vehicle
28 Commission, or the chief administrator’s designee, who shall serve
29 ex officio;

30 (2) the Governor’s Chief Counsel, or the chief counsel’s
31 designee, who shall serve ex officio; and

32 (3) nine public members as follows:

33 (a) three members appointed by the Governor;

34 (b) three members appointed by the Governor upon the
35 recommendation of the President of the Senate; and

36 (c) three members appointed by the Governor upon the
37 recommendation of the Speaker of the General Assembly.

38 d. A vacancy in the membership of the advisory board shall be
39 filled in the same manner provided for the original appointment.

40 e. The advisory board shall organize ¹【as soon as practicable
41 following the appointment of its members】 within 90 days of the
42 effective of P.L. , c. (C.) (pending before the Legislature as
43 this bill)¹, and shall select a chairperson and vice-chairperson from
44 among its members.

45 f. The public members of the advisory board shall serve
46 without compensation, but may be reimbursed for necessary

1 expenses incurred in the performance of their duties to the extent
2 that such funds are made available for that purpose.

3 g. The New Jersey Motor Vehicle Commission shall provide
4 staff support to the advisory board as may be necessary for its
5 purposes. The advisory board shall be entitled to call to its
6 assistance and avail itself of the services of the employees of any
7 State, county, or municipal department, board, bureau, commission,
8 or agency, as it may require and as may be available for its
9 purposes.

10 h. No later than 12 months after the effective date of P.L. ,
11 c. (C.) (pending before the Legislature as this bill), the
12 advisory board shall report to the Governor, and to the Legislature
13 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its findings
14 and recommendations. The advisory board shall terminate upon
15 submission of the report.

16

17 ¹21. This act] 27. a. Sections 1 through 24 and section 26¹
18 shall take effect on the first day of the thirteenth month after
19 enactment, except that the Chief Administrator of the New Jersey
20 Motor Vehicle Commission may take any anticipatory
21 administrative action in advance as shall be necessary for the
22 implementation of this act.

23 ¹b. Section 25 of this act shall take effect on the first day of the
24 sixth month after enactment.

25 c.¹ Section ¹20] 26¹ of this act shall expire upon submission of
26 the advisory board's report required to be prepared and submitted
27 pursuant to subsection h. of section ¹20] 26¹ of this act.