

CHAPTER 271
(CORRECTED COPY)

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

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

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

Words and phrases defined.

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

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

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

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

"Automobile" includes all motor vehicles except motorcycles.

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

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

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

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

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

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

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

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

"Crosswalk" means that part of a highway at an intersection, either marked or unmarked existing at each approach of every roadway intersection, included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs

or, in the absence of curbs, from the edges of the shoulder, or, if none, from the edges of the roadway; also, any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other marking on the surface.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or

from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway; and includes any highway designated as a "freeway" or "parkway" by authority of law.

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

"Low-speed electric bicycle" means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

"Low-speed electric scooter" means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour.

"Low-speed vehicle" means a four-wheeled low-speed vehicle, as defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than 20 miles per hour but not more than 25 miles per hour on a paved level surface and which is not powered by gasoline or diesel fuel and complies with federal safety standards as set forth in 49 C.F.R. s.571.500.

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

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

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

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

"Motorized bicycle" means a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50 cc. or said motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle in excess of 20 miles per hour with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. This term shall not include a low-speed electric bicycle or low-speed electric scooter as defined in this section.

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

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

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.

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

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

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

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

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

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

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

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

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

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

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

"Pedestrian" means a person afoot.

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

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

"Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or

irregularly shaped loads, such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"School bus" means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for the transportation of children to or from school for secular or religious

education, which complies with the regulations of the New Jersey Motor Vehicle Commission affecting school buses, including "School Vehicle Type I" and "School Vehicle Type II" as defined below:

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

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

"School zone" means that portion of a highway which is either contiguous to territory occupied by a school building or is where school crossings are established in the vicinity of a school, upon which are maintained appropriate "school signs" in accordance with specifications adopted by the chief administrator and in accordance with law.

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

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

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

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

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

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

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

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

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

"Street" means the same as highway.

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

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

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

"Suburban business or residential district" means that portion of highway and the territory contiguous thereto, where within any 1,320 feet along that highway there is land in use for business or residential purposes and that land occupies more than 660 feet of frontage on one side or collectively more than 660 feet of frontage on both sides of that roadway.

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

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

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

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

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

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

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

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

"Vehicle" means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or low-speed electric bicycles, low-speed electric scooters, or motorized bicycles.

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

C.39:2A-2 Findings, declarations relative to the New Jersey Motor Vehicle Commission.

2. The Legislature finds and declares that:

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

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

c. The DMV has responsibility for issuing and certifying motor vehicle driver's licenses, ensuring the proper registration of motor vehicles, as well as conducting safety and emissions inspections of motor vehicles;

- d. The public expects courteous, efficient and accessible service from government agencies, including the DMV;
- e. The DMV's failed security systems are contributing to a growing national problem of identity theft that is costing New Jersey and the nation millions of dollars each week;
- f. In the past, the DMV has been unable to deal with fraud and corruption because of inadequate funding, training, security, internal controls and oversight;
- g. The DMV must improve its security system and equipment, and its fraud detection, training and monitoring so that fraudulent driver's licenses, such as those used in the furtherance of terroristic activities, will be eliminated;
- h. Internal audits and controls and investigations are also needed to detect patterns of fraud, theft, corruption, identity theft and mismanagement in the issuance of driver's licenses, registrations, and titles because DMV documents must be more resistant to compromise;
- i. Criminals have used counterfeit passports, Social Security cards, county identification cards, pay stubs and W-2 forms to obtain fraudulent driver's licenses and identification cards in furtherance of identity-theft schemes;
- j. Proper identification must be required at all phases of the licensing and driver testing process to assure that only those persons qualified to legally obtain licenses do so;
- k. It is essential that DMV records be matched with Social Security Administration records, when presented, in order to verify the validity of Social Security numbers in DMV databases;
- l. Cameras, armed security guards, panic buttons, alarms, safety upgrades, card access systems and door replacements are needed in order to prevent fraud;
- m. Employees or agents of the DMV should be required to undergo background checks and fingerprinting;
- n. Cleaning crews and maintenance workers at DMV facilities must be supervised by DMV employees to ensure the security of DMV records;
- o. In a time of rapidly changing information technology and Internet communications, the DMV lacks an information technology plan to bring it to the 21st Century and still operates on a decades-old computer network with patchwork hardware, antiquated software and obsolete display terminals that lack processing abilities;
- p. Previous DMV efforts to implement complex technological mandates have failed, due to bureaucratic mismanagement, inefficient planning and inadequate oversight, as characterized by reports of the State Commission of Investigation;
- q. The DMV has become a reactive agency, struggling to keep up with the demands of newly legislated responsibilities, and without the necessary resources to prevent fraud and corruption at its front-line agencies and without the ability to provide even adequate service to its six million customers;
- r. The DMV needs a strategic business plan, which is a key to the operation of an agency, and must work within the confines of such plan in an effort to adopt best practices, improve customer service and gain back the confidence of New Jersey citizens and the Legislature;
- s. The DMV's privatization of some of its agencies in July 1995 has created poor, disjointed and confused service delivery without consistency among the agencies in terms of policies and procedures, which has led to confusion and frustration in the minds of New Jersey citizens;
- t. The DMV privatization has also resulted in poorly paid employees who have received inadequate benefits, resulting in a high turnover rate at DMV agencies;

u. A major benefit to a State-operated DMV system is the ability to centralize anti-fraud policies and procedures;

v. Historically, the privately-operated local motor vehicle agencies have been plagued with long lines, poor customer service and inadequate business practices that have routinely caused network delays and failures for hours at a time;

w. The DMV would be in a better position to plan for long-term improvements, replacements and daily operations if it had a dedicated and consistent source of funding;

x. In order to address the various problems with the DMV, a "FIX DMV Commission" was formed on April 25, 2002, by Governor's Executive Order Number 19 to conduct a comprehensive review of the DMV and to make recommendations on the restructuring and reorganization of the agency;

y. The "FIX DMV Commission" has reported that the DMV is in crisis and has recommended that a New Jersey Motor Vehicle Commission be formed in, but not of, the Department of Transportation to replace the current New Jersey Division of Motor Vehicles with the purposes of: (1) identifying and regulating drivers and motor vehicles to deter unlawful and unsafe acts; (2) identifying and correcting vehicle defects and limiting the amount of vehicle-produced air pollution; (3) focusing on and responding to customer service and security issues; and (4) effectuating change by bringing greater attention and resources to the needs of the organization;

z. It is therefore in the public interest to create a New Jersey Motor Vehicle Commission, the duties of which would include, but not be limited to: (1) addressing the multitude of functions assigned to it while curtailing fraudulent and criminal activities that present threats to the State's security system; (2) following a multi-year strategic business plan that is constantly reviewed and updated, thus avoiding the need for the cyclical reforms that have characterized its history; and (3) conducting operations on a fiscal year budget, controlling fees sufficient to fund the budget, adopting regulations regarding processes and fees; and implementing an annual strategic business plan.

C.39:3-10o Findings, declarations relative to issuance of standard basic driver's license, non-driver identification card.

3. The Legislature finds and declares that:

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

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

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

d. The measures in P.L.2019, c.271 (C.39:3-10o et al.) will protect the standard basic driver license and non-driver identification card as a valid and respected form of identification by requiring multiple documents, as deemed acceptable by the commission, in order to obtain the standard basic driver's license or non-driver identification card.

e. It is therefore the intent of the Legislature to support road safety and privacy protections by making driver's licenses available to any safe driver who meets all requirements relating to the driver's ability to operate a motor vehicle, pursuant to R.S.39:3-

10, and who provides proof of identity, qualifying age, and residency pursuant to the provisions of State law.

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

C.39:2-3.4 Disclosure of personal information connected with motor vehicle record.

2. a. Notwithstanding the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.) or any other law to the contrary, except as provided in this act, the New Jersey Motor Vehicle Commission and any officer, employee or contractor thereof shall not knowingly disclose or otherwise make available to any person personal information about any individual obtained by the commission in connection with a motor vehicle record. b. A person requesting a motor vehicle record including personal information shall produce proper identification and shall complete and submit a written request form provided by the chief administrator for the commission's approval. The written request form shall bear notice that the making of false statements therein is punishable and shall include, but not be limited to, the requestor's name and address; the requestor's driver's license number or corporate identification number; the requestor's reason for requesting the record; the driver's license number or the name, address and birth date of the person whose driver record is requested; the license plate number or VIN number of the vehicle for which a record is requested; any additional information determined by the chief administrator to be appropriate and the requestor's certification as to the truth of the foregoing statements. Prior to the approval of the written request form, the commission may also require the requestor to submit documentary evidence supporting the reason for the request.

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

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

(1) For use by any government agency, including any court or law enforcement agency in carrying out its functions, or any private person or entity acting on behalf of a federal, State, or local agency in carrying out its functions.

(2) For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and the removal of non-owner records from the original owner records of motor vehicle manufacturers.

(3) For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:

(a) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and

(b) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against the individual.

(4) For use in connection with any civil, criminal, administrative or arbitral proceeding in any federal, State, or local court or agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, State, or local court.

(5) For use in educational initiatives, research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals and, in the case of educational initiatives, only to organ procurement organizations as aggregated, non-identifying information.

(6) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.

(7) For use in providing notice to the owners of towed or impounded vehicles.

(8) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the "Commercial Motor Vehicle Safety Act," 49 U.S.C.App.s.2710 et seq.

(9) For use in connection with the operation of private toll transportation facilities.

(10) For use by any requestor, if the requestor demonstrates it has obtained the notarized written consent of the individual to whom the information pertains.

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

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

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

(12) For use by an organ procurement organization designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey, or any donor registry established by any such organization, exclusively for the purposes of determining, verifying, and recording organ and tissue donor designation and identity. For these purposes, an organ procurement organization shall have electronic access at all times, without exception, to real-time organ donor

designation and identification information. An organ procurement organization may also have information for research activities, pursuant to paragraph (5) of subsection c. of this section.

d. As provided by the federal “Drivers’ Privacy Protection Act of 1994,” Pub.L.103-322, a person authorized to receive personal information under paragraphs (1) through (10) of subsection c. of this section may resell or redisclose the personal information only for a use permitted by paragraphs (1) through (10) of subsection c. of this section subject to regulation by the commission. A person authorized to receive personal information under paragraph (11) of subsection c. of this section may resell or redisclose the personal information pursuant to paragraph (11) of subsection c. of this section subject to regulation by the commission. An organization authorized to receive personal information under paragraph (12) of subsection c. of this section may redisclose the personal information only for the purposes set forth in that paragraph.

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

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

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

When responding to a warrant, court order, or subpoena, the commission may disclose only those records or information specifically requested in the warrant, court order, or subpoena.

C.39:2-3.4a Information, documentation required from applicant.

5. a. An applicant for a standard basic driver’s license, standard motorcycle license, standard permit, standard probationary license, or standard non-driver identification card shall only be required to provide information or documentation necessary to determine eligibility for the standard basic driver’s license, standard motorcycle license, standard permit, standard probationary license, or standard non-driver identification card for which the applicant has applied. This provision shall not prohibit voluntary submission of documents as a proof of identity to obtain a standard basic driver’s license, standard motorcycle license, standard permit, standard probationary license, or standard non-driver identification card.

Any application form for a standard basic driver’s license, standard motorcycle license, standard permit, standard probationary license, or standard non-driver identification card

shall not request or require an applicant to state the reason for which an applicant is ineligible to receive a social security number.

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

c. The commission shall not disclose or otherwise make accessible for any purposes related to Title 8 of the United States Code any portion of any record that identifies whether or not the type of basic driver's license, motorcycle license, permit, probationary license, or non-driver identification card that a person has applied for complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder, except where: (1) the applicant provides written informed consent to the disclosure; (2) the requesting entity presents a warrant signed by a State or federal judge, lawful court order, or subpoena; (3) required by State or federal law; or (4) the disclosure is in connection with an audit or investigation of identity fraud, driver's license fraud, or non-driver identification fraud.

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

C.39:2A-28 Powers, duties of chief administrator.

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

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

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

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

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

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

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

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

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

- i. Institute or cause to be instituted such legal proceedings or processes as may be necessary to properly enforce and give effect to any of the powers or duties of the chief administrator;
- j. Report as the Governor shall from time to time request or as may be required by law;
- k. Collect all fees, fines, penalties, surcharges, service charges, and other charges imposed by P.L.2003, c.13 (C.39:2A-1 et al.) and the regulations issued pursuant thereto or pursuant to law;
- l. Develop and maintain a master list of all assets;
- m. Oversee the implementation of the facilities improvement and management plan, in consultation with the State Treasurer;
- n. Perform such other functions as may be prescribed in P.L.2003, c.13 (C.39:2A-1 et al.) or by any other law or by the board; and
- o. Establish a point based identification verification program, or a successor identification verification program as the chief administrator deems appropriate, which shall be used to prove the identity of any applicant for a basic driver's license, probationary license, permit, or non-driver identification card.

C.39:2A-44 Provision of language translation services.

7. In addition to the customer service and security requirements set forth under this title, the Chief Administrator of the New Jersey Motor Vehicle Commission shall provide language translation services at each commission agency and regional service center location that processes applications for basic driver's licenses, permits, probationary driver's licenses, or motor vehicle registration certificates. The language translation services shall be provided in a language spoken and understood by each applicant.

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

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

Licensing of drivers.

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

A person under 18 years of age shall not be issued a basic license to drive motor vehicles, and a person shall not be issued a validated permit, including a validated examination permit, until the applicant has passed a satisfactory examination and other requirements as to the applicant's ability as an operator. The examination shall include: a test of the applicant's vision; the applicant's ability to understand traffic control devices; the applicant's knowledge of safe driving practices, including the dangers of driving a vehicle in an aggressive manner, which shall include, but not be limited to, unexpectedly altering the speed of a vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way, and following another vehicle too closely; the applicant's

knowledge of operating a motor vehicle in a manner that safely shares the roadway with pedestrians, cyclists, skaters, riders of motorized-scooters, and other non-motorized vehicles, which shall include, but not be limited to, passing a cyclist on the roadway, recognizing bicycle lanes, navigating intersections with pedestrians and cyclists, and exiting a vehicle without endangering pedestrians and cyclists; the applicant's knowledge of the effects that ingestion of alcohol or drugs has on a person's ability to operate a motor vehicle; the applicant's knowledge of the dangers of carbon monoxide poisoning from motor vehicles and techniques for the safe operation and proper maintenance of a motor vehicle; the applicant's knowledge of portions of the mechanism of motor vehicles as is necessary to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant; and the applicant's knowledge of the laws and ordinary usages of the road. The examination shall be made available in English and each of the three languages, other than English, most commonly spoken in the State, as determined by the chief administrator. The chief administrator shall periodically, and at least every five years, verify the three languages, other than English, most commonly spoken in the State.

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

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

A person who successfully completes a road test for a motorcycle license or a motorcycle endorsement when operating a motorcycle or motorized scooter with an engine displacement of less than 231 cubic centimeters shall be issued a motorcycle license or endorsement

restricting the person's operation of the vehicles to any motorcycle with an engine displacement of 500 cubic centimeters or less. A person who successfully completes a road test for a motorcycle license or motorcycle endorsement when operating a motorcycle with an engine displacement of 231 or more cubic centimeters shall be issued a motorcycle license or endorsement without any restriction as to engine displacement. Any person who successfully completes an approved motorcycle safety education course established pursuant to the provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a motorcycle license or endorsement without restriction as to engine displacement.

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

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

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

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

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

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

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

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

R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017, c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other motor vehicle-related violation the commission determines to be significant and applicable pursuant to regulation; and (4) passed an examination of the applicant's ability to operate a motor vehicle pursuant to this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Standard motorcycle license or endorsement: \$18.

REAL ID motorcycle license: \$29.

Omnibus or school bus endorsement: \$18.

Standard basic driver's license: \$18.

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

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

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

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

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

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

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

(1) as a condition for obtaining a permit and standard basic driver's license, proof of the person's social security number and one document providing satisfactory proof that the applicant is a New Jersey resident. If the person does not have a social security number, the person shall either: (a) provide satisfactory proof of an Individual Taxpayer Identification Number; or

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

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

A standard basic driver's license shall indicate that the license shall not be accepted as identification for an official purpose, as that term is defined under the "REAL ID Act of

2005,” Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

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

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

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

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

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

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

As used in this section:

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

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

9. R.S.39:3-31 is amended to read as follows:

Duplicate, amended documents; issuance, fees.

39:3-31. a. The chief administrator, upon presentation of a statement duly sworn to, stating that the original registration certificate or original motorized bicycle registration certificate has been destroyed, lost or stolen, may, if the chief administrator is satisfied that the facts as set forth in the statement are substantially true, issue a duplicate or amended registration certificate or motorized bicycle registration certificate to the original holder thereof, upon the payment to the chief administrator of a fee of \$5 for each duplicate or amended registration certificate or motorized bicycle registration certificate so issued. The chief administrator, upon presentation of a statement, duly sworn to, stating that the original driver's license has been destroyed, lost or stolen, or requesting a new color photograph, may, if the chief administrator is satisfied that the facts as set forth in the statement are substantially true, issue a duplicate driver's license to the original holder thereof, upon payment to the chief administrator of a fee of \$5 in addition to the digitized photograph fee. Notwithstanding any other provision of law to the contrary, the fee for a duplicate or amended registration certificate for any new passenger automobile required to be registered for a 48-month term or for any new passenger automobile leased for a term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

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

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

C.39:3-10f Licenses, initial, renewal, photograph; fees.

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

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

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

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

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

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

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

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

11. Section 4 of P.L.2001, c.391 (C.39:3-10f4) is amended to read as follows:
C.39:3-10f4 Fee for digitized photograph.

4. The fee for a digitized photograph shall be \$6 for each license, renewal, or duplicate thereof, and shall be in addition to the fee presently authorized for the issuance of a driver's license pursuant to R.S.39:3-10.

12. R.S.39:3-13 is amended to read as follows:

Examination permits.

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

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

For six months immediately following the validation of an examination permit, and until the holder passes the road test, the holder who is less than 21 years of age shall operate the passenger automobile only when accompanied by, and under the supervision of, a New Jersey licensed driver who is at least 21 years of age and has been licensed to drive a passenger automobile for not less than three years. The holder of an examination permit who is at least 21 years of age shall operate the passenger automobile for the first three months under such supervision and until the holder passes the road test. The supervising driver of the passenger automobile shall sit in the front seat of the vehicle. Whenever operating a vehicle while in possession of an examination permit, the holder of the permit shall operate the passenger automobile with only one additional passenger in the vehicle excluding dependents of the permit holder, except that this passenger restriction shall not apply when the permit holder is at least 21 years of age or when the permit holder is accompanied by a parent or guardian. Further, the holder of the passenger automobile permit who is less than 21 years of age shall not drive during the hours between 11:01 p.m. and 5 a.m.; provided, however, that this condition may be waived for an emergency which, in the judgment of local police, is of sufficient severity and magnitude to substantially endanger the health, safety, welfare, or property of a person, or for any bona fide employment or religion-related activity if the employer or appropriate religious authority provides written verification of such activity in a manner provided for by the chief administrator. The holder of the examination permit shall not use any hand-held or hands-free interactive wireless communication device, except in an emergency, while operating a moving passenger automobile on a public road or highway. "Use" shall include, but not be limited to, talking or listening on any hand-held or hands-free interactive wireless communication device or operating its keys, buttons, or other controls.

The passenger automobile permit holder shall ensure that all occupants of the vehicle are secured in a properly adjusted and fastened seat belt or child restraint system.

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

The holder of any examination permit shall not operate a motorcycle having a motor with a maximum piston displacement that is less than 50 cubic centimeters or a motor that is rated at no more than 1.5 brake horsepower with a maximum speed of no more than 35 miles per hour on a flat surface at anytime from a half-hour after sunset to a half-hour before sunrise and shall not operate the motorcycle with any other passenger. The holder of any examination permit shall not operate such a motorcycle upon limited-access interstate highways or public roads or highways with a posted speed limit greater than 35 miles per hour.

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

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

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

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

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

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

In addition to requiring an applicant for an examination permit to submit satisfactory proof of identity and age in accordance with the type of license for which the applicant has applied, the chief administrator also shall require the applicant to provide the requisite number of documents providing satisfactory proof that the applicant is a resident of the State in accordance with the provisions of R.S.39:3-10.

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

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

Information regarding an applicant's Individual Tax Identification Number, social security number, or ineligibility to receive a social security number obtained by the commission for

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

If the chief administrator has reasonable cause to suspect that any document presented by an applicant pursuant to this section is altered, false, or otherwise invalid, the chief administrator shall refuse to grant the permit until such time as the document may be verified by the issuing agency to the chief administrator's satisfaction.

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

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

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

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

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

The specified period for which a permit is issued may be extended for not more than an additional 60 days, without payment of an added fee, upon application made by the holder thereof, where the holder has applied to take the examination for a driver's license prior to

the expiration of the original period for which the permit was issued and the chief administrator was unable to schedule an examination during said period.

As a condition for the issuance of an examination permit under this section, the chief administrator shall secure a digitized photograph of the applicant. The photograph shall be stored in a manner prescribed by the chief administrator and may be displayed on the examination permit.

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

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

13. Section 1 of P.L.1950, c.127 (C.39:3-13.1) is amended to read as follows:

C.39:3-13.1 Issuance of special learner's permit.

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

In addition to requiring an applicant for a permit to submit satisfactory proof of identity and age in accordance with the type of license for which the applicant has applied, the chief administrator also shall require the applicant to provide the requisite number of documents providing satisfactory proof that the applicant is a resident of the State.

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

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

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

If the chief administrator has reasonable cause to suspect that any document presented by an applicant pursuant to this section is altered, false or otherwise invalid, the chief administrator shall refuse to grant the permit until such time as the document may be verified by the issuing agency to the chief administrator's satisfaction.

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

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

14. Section 4 of P.L.1950, c.127 (C.39:3-13.4) is amended to read as follows:

C.39:3-13.4 Probationary driver's license.

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

b. The holder of a probationary license shall be permitted to operate the passenger automobile with only one additional passenger in the vehicle besides any dependent of the probationary license holder, except that this passenger restriction shall not apply when the

holder of the probationary license is at least 21 years of age or the probationary license holder is accompanied by a parent or guardian. Further, the holder of the probationary license who is under 21 years of age shall not drive during the hours between 11:01 p.m. and 5 a.m.; provided however, that this condition may be waived for an emergency which, in the judgment of local police, is of sufficient severity and magnitude to substantially endanger the health, safety, welfare, or property of a person or for any bona fide employment or religion-related activity if the employer or appropriate religious authority provides written verification of such activity in a manner provided for by the chief administrator.

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

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

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

f. The chief administrator shall provide the holder of a probationary license with two removable, transferable, highly visible, reflective decals indicating that the driver of the vehicle may be the holder of a probationary license. The decals shall be designed by the chief administrator, in consultation with the Division of Highway Traffic Safety in the Department of Law and Public Safety. The chief administrator may charge a fee for the decals not to exceed the actual cost of producing and distributing the decals. The decals

shall be displayed in a manner prescribed by the chief administrator, in consultation with the Division of Highway Traffic Safety in the Department of Law and Public Safety, and shall be clearly visible to law enforcement officers. The holder of a probationary license shall not operate a vehicle unless the decals are displayed. The decal shall be removed once the driver's probationary license period has ended.

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

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

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

(1) as a condition for obtaining a standard probationary license, proof of the applicant's social security number and one document providing satisfactory proof that the applicant is a New Jersey resident. If the applicant does not have a social security number, the applicant shall either:

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

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

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

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

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

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

requiring the commission to refuse to issue a license to operate a motor vehicle to the person for a period of not less than 180 days.

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

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

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

15. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read as follows:

C.39:3-29.3 Identification cards.

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

A person issued an identification card pursuant to this section may be issued a standard identification card or a REAL ID identification card. The chief administrator shall require any applicant for a standard identification card to provide as proof of the applicant's identity, age, and residence primary and secondary documents, with which the chief administrator

shall attribute point values in accordance with the point based identification verification program established pursuant to section 28 of P.L.2003, c.13 (C.39:2A-28). The point total required to prove the identity of an applicant for the standard probationary license shall be the same for every applicant, regardless of immigration status. In the event that the commission changes the point total threshold, the requirement that every applicant reach the same point total threshold shall remain in effect.

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

(a) as a condition for obtaining a standard identification card, proof of the applicant's social security number and one document providing satisfactory proof that the applicant is a New Jersey resident. If the applicant does not have a social security number, the applicant shall either:

(i) provide satisfactory proof of an Individual Taxpayer Identification Number; or
(ii) indicate, in a manner prescribed by the commission and consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o et al.), that the applicant is not eligible to receive a social security number; or

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

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

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

Information regarding an applicant's Individual Tax Identification Number, social security number, or ineligibility to receive a social security number obtained by the commission for the issuance of a standard identification card pursuant to this section, shall not be considered a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning access to government records, and shall not be disclosed by the commission except where: (1) required by section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant provides written informed consent to the disclosure; (3) the requesting entity presents a warrant signed by a State or federal judge, a lawful court order, or a subpoena; (4) required by State or federal law, and to the extent that the disclosure may be necessary to permit the State to participate in the National Driver Register

program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the disclosure is in connection with an audit or investigation of identity fraud, driver's license fraud, or non-driver identification card fraud.

If the chief administrator has reasonable cause to suspect that any document presented by an applicant pursuant to this section is altered, false or otherwise invalid, the chief administrator shall refuse to grant the identification card until such time as the document may be verified by the issuing agency to the chief administrator's satisfaction.

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

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

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

c. For the purpose of this section:

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

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

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

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

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

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

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

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

C.39:3-29.4 Identification card to bear color photograph.

3. Every identification card authorized by section 2 of P.L.1980, c.47 (C.39:3-29.3) shall bear a color photograph of the person to whom it is issued and shall be issued upon the form prescribed by the New Jersey Motor Vehicle Commission for color photograph drivers' licenses, except that the card shall prominently contain the words "For Identification Only." A standard identification card shall indicate that the identification card shall not be accepted as identification for an official purpose, as that term is defined under the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

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

C.39:3-29.5 Expiration of card, renewal.

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

The identification card shall be renewable upon the request of the bearer of the card, pursuant to terms of license renewal established by the New Jersey Motor Vehicle Commission, and upon payment of a fee as required by section 6 of P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a disability shall be valid for the life of the holder unless canceled by the holder. Cards issued prior to October 16, 1989 and valid upon the effective date of P.L.1990, c.30 shall be valid for the life of the holder unless canceled by the holder. Cards issued to persons with blindness or disabilities between October 16, 1989 and the effective date of P.L.1990, c.30, and which are valid on the effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life of the holder unless canceled by the holder, upon presentation of proof that the person's blindness or disability existed at the time of the original application. The chief administrator is authorized to require periodic verification of information included on any identification card issued for or valid for the life of the holder. Nothing in this section shall be construed to alter or change any expiration date on any New Jersey identification card issued prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any such identification card shall remain valid until its expiration date.

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

18. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read as follows:

C.39:3-29.7 Fees.

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

Standard Identification Card, Original	\$18
Identification Card, Duplicate	\$5
Identification Card, Renewal	\$18
REAL ID Identification Card	\$29
Digitized photograph	\$6, in addition to the fees required above

b. The chief administrator may waive the fees established under subsection a. of this section for a person who is homeless who submits proof of temporary residence through a social worker or the coordinator of an emergency shelter for the homeless where the person is temporarily residing. On or before December 31 of each year, the commission shall report to the Office of Homelessness Prevention in the Department of Community Affairs an accounting of each instance in which the commission provided a fee waiver pursuant to this section. For the purposes of this section, "person who is homeless" means a person without a domicile who is unable to secure permanent and stable housing as determined by a social worker or the coordinator of an emergency shelter for the homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et seq.).

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

19. Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is amended to read as follows:

C.17:29A-46.2 Underwriting rules; factors.

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

b. All underwriting rules applicable to each rate level as provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall be filed with the commissioner and shall be subject to the commissioner's prior approval. All underwriting rules shall be subject to public inspection. Except as provided in subsection d. of section 27 of P.L.1990, c.8 (C.17:33B-

15), insurers shall apply their underwriting rules uniformly and without exception throughout the State, so that every applicant or insured conforming with the underwriting rules will be insured or renewed, and so that every applicant not conforming with the underwriting rules will be refused insurance.

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

d. An insurer that revises its underwriting rules with respect to the assignment of insureds to rating tiers based on the number of accumulated motor vehicle points, as provided by subsection a. of this section, as amended by P.L.2003, c.89, shall certify to the commissioner that the revised rule will produce rates that are revenue neutral based upon the insurer's current coverages and book of business.

20. Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended to read as follows:

C.39:3-9b Street address on driver's license; exceptions.

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

C.39:3-10.8b Amendment of notation.

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

C.39:3-10p Discrimination prohibited.

22. a. A person or entity shall not discriminate against any person based upon the fact that the person applied for, was issued, holds, or presents a standard basic driver's license, standard motorcycle license, standard permit, standard probationary license, or standard identification card.

The holder of a standard basic driver's license or standard motorcycle license issued pursuant to R.S.39:3-10, standard probationary license issued pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4), and standard identification card issued pursuant to section 2

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

Nothing in this section shall be construed to alter an employer's rights or obligations under 8 U.S.C. s.1324a regarding obtaining documentation evidencing identity and authorization for employment. Any action that is required by federal or State law or regulation, or by government contract shall not constitute a violation of this section.

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

23. Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is amended to read as follows:

C.39:2A-36.1 Increase in fees, surcharges.

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

Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a); section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979, c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30); R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5); R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964, c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6); section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979, c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19); R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14); section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2 of P.L.1999, c.396 (C.39:3-84.7); section 3 of

P.L.1973, c.307 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30; section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972, c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1); section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983, c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16; R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8; section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951, c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

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

No fee or surcharge set forth in this section shall be increased by regulation more than once during any five-year period, and no such fee or surcharge shall be increased beyond an amount that exceeds the actual costs to the State of New Jersey for administering any transaction, process, filing, registration, inspection, audit, or any license, permit, or other document issuance, for which the fee or surcharge is collected.

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

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

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

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

24. R.S.39:3-41 is amended to read as follows:

Driver's manual made available; contents; translations.

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

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

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

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

d. The chief administrator, following consultation with the organ procurement organizations designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey, shall include in the driver's manual information explaining the provisions of the "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77 et al.), the beneficial uses of donated organs and tissues, and the procedure for indicating on the driver's license the intention to make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2). The chief administrator may distribute all remaining copies of the existing driver's manual before reprinting the manual with the information required pursuant to this subsection.

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

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

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

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

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

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

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

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

f. The chief administrator, in consultation with the Commissioner of Health and the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, shall include in the driver's manual information explaining the dangers of carbon monoxide poisoning from motor vehicles and techniques for the safe operation and proper maintenance of a motor vehicle. The chief administrator may distribute all remaining copies

of any existing driver's manual before reprinting the manual with the information required pursuant to this subsection.

25. The Chief Administrator of the New Jersey Motor Vehicle Commission, in consultation with the Attorney General, shall establish a public awareness campaign for the duration of 24 months following the effective date of P.L.2019, c.271 (C.39:3-10o et al.) to inform the general public about the availability of and the requirements to obtain a standard and REAL ID basic driver's license, motorcycle license, probationary license, and identification card.

26. a. There is created an advisory board to be known as the "Standard and REAL ID Driver License and Identification Card Advisory Board."

b. The purpose of the advisory board shall be to review the implementation of the provisions of P.L.2019, c.271 (C.39:3-10o et al.) by the New Jersey Motor Vehicle Commission and the issuance of standard and REAL ID basic driver's licenses, motorcycle licenses, probationary licenses, and identification cards by the commission. The advisory board shall provide guidance to the commission concerning public awareness and education of the differences between standard and REAL ID basic driver's licenses, motorcycle licenses, probationary licenses, and identification cards and how to obtain standard and REAL ID basic driver's licenses, motorcycle licenses, probationary licenses, and identification cards.

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

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

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

(3) nine public members as follows:

(a) three members appointed by the Governor;

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

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

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

e. The advisory board shall organize within 90 days of the effective date of P.L.2019, c.271 (C.39:3-10o et al.), and shall select a chairperson and vice-chairperson from among its members.

f. The public members of the advisory board shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties to the extent that such funds are made available for that purpose.

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

h. No later than 12 months after the effective date of P.L.2019, c.271 (C.39:3-10o et al.), the advisory board shall report to the Governor, and to the Legislature pursuant to section 2

of P.L.1991, c.164 (C.52:14-19.1), its findings and recommendations. The advisory board shall terminate upon submission of the report.

27. a. Sections 1 through 24 and section 26 shall take effect on the first day of the thirteenth month after enactment, except that the Chief Administrator of the New Jersey Motor Vehicle Commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

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

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

Approved December 19, 2019.