

[First Reprint]

SENATE, No. 3229

STATE OF NEW JERSEY
218th LEGISLATURE

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SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on December 12, 2019, with amendments.

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

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

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

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

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

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

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

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

24 "Automobile" includes all motor vehicles except motorcycles.

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

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

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

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

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted December 12, 2019.

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

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

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

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

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

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

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

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

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

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

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

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

48 "High occupancy vehicle" or "HOV" means a vehicle which is
49 used to transport two or more persons and shall include public

1 transportation, car pool, van pool, and other vehicles as determined
2 by regulation of the Department of Transportation.

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

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

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

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

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

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

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

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

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

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

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

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

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

41 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
42 as defined in 49 **[CFR]** C.F.R. s.571.3(b), whose attainable speed is
43 more than 20 miles per hour but not more than 25 miles per hour on
44 a paved level surface and which is not powered by gasoline or
45 diesel fuel and complies with federal safety standards as set forth in
46 49 **[CFR]** C.F.R. s.571.500.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 "Pedestrian" means a person afoot.

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

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

37 "Pole trailer" means every vehicle without motive power
38 designed to be drawn by another vehicle and attached to the towing
39 vehicle by means of a reach, or pole, or by being boomed or
40 otherwise secured to the towing vehicle, and ordinarily used for
41 transporting long or irregularly shaped loads, such as poles, pipes,
42 or structural members capable, generally, of sustaining themselves
43 as beams between the supporting connections.

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

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

1 “REAL ID basic driver’s license” means a basic driver’s license
2 issued by the commission that complies with the provisions of the
3 “REAL ID Act of 2005,” Pub.L.109-13, any acts amendatory or
4 supplementary thereto, and any federal regulations adopted
5 thereunder.

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

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

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

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

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

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

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

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

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

46 "Roadway" means that portion of a highway improved, designed,
47 or ordinarily used for vehicular travel, exclusive of the berm or
48 shoulder. In the event a highway includes two or more separate

1 roadway, the term "roadway" as used herein shall refer to any such
2 roadway separately, but not to all such roadways, collectively.

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

7 "School bus" means every motor vehicle operated by, or under
8 contract with, a public or governmental agency, or religious or other
9 charitable organization or corporation, or privately operated for the
10 transportation of children to or from school for secular or religious
11 education, which complies with the regulations of the New Jersey
12 Motor Vehicle Commission affecting school buses, including
13 "School Vehicle Type I" and "School Vehicle Type II" as defined
14 below:

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

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

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

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

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

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

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

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

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

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

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

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

26 "Street" means the same as highway.

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

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

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

36 "Suburban business or residential district" means that portion of
37 highway and the territory contiguous thereto, where within any
38 1,320 feet along that highway there is land in use for business or
39 residential purposes and that land occupies more than 660 feet of
40 frontage on one side or collectively more than 660 feet of frontage
41 on both sides of that roadway.

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

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

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

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

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

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

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

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

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

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

25

26 **1[17.] 2.**¹ Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended
27 to read as follows:

28 2. The Legislature finds and declares that:

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

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

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

39 d. The public expects courteous, efficient and accessible
40 service from government agencies, including the DMV;

41 e. The DMV's failed security systems are contributing to a
42 growing national problem of identity theft that is costing New
43 Jersey and the nation millions of dollars each week;

44 f. In the past, the DMV has been unable to deal with fraud and
45 corruption because of inadequate funding, training, security,
46 internal controls and oversight;

47 g. The DMV must improve its security system and equipment,
48 and its fraud detection, training and monitoring so that fraudulent

- 1 driver's licenses, such as those used in the furtherance of terroristic
2 activities, will be eliminated;
- 3 h. Internal audits and controls and investigations are also
4 needed to detect patterns of fraud, theft, corruption, identity theft
5 and mismanagement in the issuance of driver's licenses,
6 registrations, and titles because DMV documents must be more
7 resistant to compromise;
- 8 i. Criminals have used counterfeit passports, Social Security
9 cards, county identification cards, pay stubs and W-2 forms to
10 obtain fraudulent driver's licenses and identification cards in
11 furtherance of identity-theft schemes;
- 12 j. Proper identification must be required at all phases of the
13 licensing and driver testing process to assure that only those persons
14 qualified to legally obtain licenses do so;
- 15 k. It is essential that DMV records be matched with Social
16 Security Administration records, when presented, in order to verify
17 the validity of Social Security numbers in DMV databases;
- 18 l. Cameras, armed security guards, panic buttons, alarms,
19 safety upgrades, card access systems and door replacements are
20 needed in order to prevent fraud;
- 21 m. Employees or agents of the DMV should be required to
22 undergo background checks and fingerprinting;
- 23 n. Cleaning crews and maintenance workers at DMV facilities
24 must be supervised by DMV employees to ensure the security of
25 DMV records;
- 26 o. In a time of rapidly changing information technology and
27 Internet communications, the DMV lacks an information
28 technology plan to bring it to the 21st Century and still operates on
29 a decades-old computer network with patchwork hardware,
30 antiquated software and obsolete display terminals that lack
31 processing abilities;
- 32 p. Previous DMV efforts to implement complex technological
33 mandates have failed, due to bureaucratic mismanagement,
34 inefficient planning and inadequate oversight, as characterized by
35 reports of the State Commission of Investigation;
- 36 q. The DMV has become a reactive agency, struggling to keep
37 up with the demands of newly legislated responsibilities, and
38 without the necessary resources to prevent fraud and corruption at
39 its front-line agencies and without the ability to provide even
40 adequate service to its six million customers;
- 41 r. The DMV needs a strategic business plan, which is a key to
42 the operation of an agency, and must work within the confines of
43 such plan in an effort to adopt best practices, improve customer
44 service and gain back the confidence of New Jersey citizens and the
45 Legislature;
- 46 s. The DMV's privatization of some of its agencies in July
47 1995 has created poor, disjointed and confused service delivery
48 without consistency among the agencies in terms of policies and

1 procedures, which has led to confusion and frustration in the minds
2 of New Jersey citizens;

3 t. The DMV privatization has also resulted in poorly paid
4 employees who have received inadequate benefits, resulting in a
5 high turnover rate at DMV agencies;

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

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

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

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

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

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

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

43

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

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

48 b. The State could improve roadway safety and automobile
49 insurance coverage by making driver's licenses and permits available

1 to any safe driver who meets all of the requirements relating to the
2 driver's ability to safely operate a motor vehicle, and who provides
3 proof of identity, qualifying age, and New Jersey residency.

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

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

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

19

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

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

29 b. A person requesting a motor vehicle record including
30 personal information shall produce proper identification and shall
31 complete and submit a written request form provided by the chief
32 administrator for the commission's approval. The written request
33 form shall bear notice that the making of false statements therein is
34 punishable and shall include, but not be limited to, the requestor's
35 name and address; the requestor's driver's license number or
36 corporate identification number; the requestor's reason for
37 requesting the record; the driver's license number or the name,
38 address and birth date of the person whose driver record is
39 requested; the license plate number or VIN number of the vehicle
40 for which a record is requested; any additional information
41 determined by the chief administrator to be appropriate and the
42 requestor's certification as to the truth of the foregoing statements.
43 Prior to the approval of the written request form, the commission
44 may also require the requestor to submit documentary evidence
45 supporting the reason for the request.

46 In lieu of completing a written request form for each record
47 requested, the commission may permit a person to complete and
48 submit for approval of the chief administrator or the chief
49 administrator's designee, on a case by case basis, a written

1 application form for participation in a public information program
2 on an ongoing basis. The written application form shall bear notice
3 that the making of false statements therein is punishable and shall
4 include, but not be limited to, the applicant's name, address and
5 telephone number; the nature of the applicant's business activity; a
6 description of each of the applicant's intended uses of the
7 information contained in the motor vehicle records to be requested;
8 the number of employees with access to the information; the name,
9 title, and signature of the authorized company representative; and
10 any additional information determined by the chief administrator to
11 be appropriate. The chief administrator may also require the
12 applicant to submit a copy of its business credentials, such as a
13 license to do business or a certificate of incorporation. Prior to
14 approval by the chief administrator or the chief administrator's
15 designee, the applicant shall certify in writing as to the truth of all
16 statements contained in the completed application form.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48 d. As provided by the federal "Drivers' Privacy Protection Act
49 of 1994," Pub.L.103-322, a person authorized to receive personal

1 information under paragraphs (1) through (10) of subsection c. of
2 this section may resell or redisclose the personal information only
3 for a use permitted by paragraphs (1) through (10) of subsection c.
4 of this section subject to regulation by the commission. A person
5 authorized to receive personal information under paragraph (11) of
6 subsection c. of this section may resell or redisclose the personal
7 information pursuant to paragraph (11) of subsection c. of this
8 section subject to regulation by the commission. An organization
9 authorized to receive personal information under paragraph (12) of
10 subsection c. of this section may redisclose the personal information
11 only for the purposes set forth in that paragraph.

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

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

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

37 When responding to a warrant, court order, or subpoena, the
38 commission may disclose only those records or information
39 specifically requested in the warrant, court order, or subpoena.¹

40 (cf: P.L.2008, c.48, s.12)

41

42 ¹5. (New section) a. An applicant for a standard basic driver’s
43 license, standard motorcycle license, standard permit, standard
44 probationary license, or standard non-driver identification card shall
45 only be required to provide information or documentation necessary
46 to determine eligibility for the standard basic driver’s license,
47 standard motorcycle license, standard permit, standard probationary
48 license, or standard non-driver identification card for which the

1 applicant has applied. This provision shall not prohibit voluntary
2 submission of documents as a proof of identity to obtain a standard
3 basic driver's license, standard motorcycle license, standard permit,
4 standard probationary license, or standard non-driver identification
5 card.

6 Any application form for a standard basic driver's license,
7 standard motorcycle license, standard permit, standard probationary
8 license, or standard non-driver identification card shall not request
9 or require an applicant to state the reason for which an applicant is
10 ineligible to receive a social security number.

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

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

34
35 ¹6. Section 28 of P.L.2003, c.13 (C.39:2A-28) is amended to
36 read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

28 m. Oversee the implementation of the facilities improvement and
29 management plan, in consultation with the State Treasurer; **[and]**

30 n. Perform such other functions as may be prescribed in **[this act]**
31 P.L.2003, c.13 (39:2A-1 et al.) or by any other law or by the board;
32 and

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

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

39
40 ¹7. (New section) In addition to the customer service and
41 security requirements set forth under this title, the Chief
42 Administrator of the New Jersey Motor Vehicle Commission shall
43 provide language translation services at each commission agency
44 and regional service center location that processes applications for
45 basic driver's licenses, permits, probationary driver's licenses, or
46 motor vehicle registration certificates. The language translation
47 services shall be provided in a language spoken and understood by
48 each applicant.

1 The commission shall translate its most commonly used
2 application forms as determined by the chief administrator into each
3 of the three languages, other than English, most commonly spoken
4 in the State. The chief administrator shall periodically, and at least
5 every five years, verify the three languages, other than English,
6 most commonly spoken in the State.¹

7
8 ¹[2.] 8.¹ R.S.39:3-10 is amended to read as follows:

9 39:3-10. A person shall not drive a motor vehicle on a public
10 highway in this State unless the person is under supervision while
11 participating in a behind-the-wheel driving course pursuant to
12 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
13 validated permit, or a probationary or basic driver's license issued to
14 that person in accordance with this article.

15 A person under 18 years of age shall not be issued a basic license
16 to drive motor vehicles, and a person shall not be issued a validated
17 permit, including a validated examination permit, until the applicant
18 has passed a satisfactory examination and other requirements as to
19 the applicant's ability as an operator. The examination shall
20 include: a test of the applicant's vision; the applicant's ability to
21 understand traffic control devices; the applicant's knowledge of safe
22 driving practices, including the dangers of driving a vehicle in an
23 aggressive manner, which shall include, but not be limited to,
24 unexpectedly altering the speed of a vehicle, making improper or
25 erratic traffic lane changes, disregarding traffic control devices,
26 failing to yield the right of way, and following another vehicle too
27 closely; the applicant's knowledge of operating a motor vehicle in a
28 manner that safely shares the roadway with pedestrians, cyclists,
29 skaters, riders of motorized-scooters, and other non-motorized
30 vehicles, which shall include, but not be limited to, passing a cyclist
31 on the roadway, recognizing bicycle lanes, navigating intersections
32 with pedestrians and cyclists, and exiting a vehicle without
33 endangering pedestrians and cyclists; the applicant's knowledge of
34 the effects that ingestion of alcohol or drugs has on a person's
35 ability to operate a motor vehicle; the applicant's knowledge of the
36 dangers of carbon monoxide poisoning from motor vehicles and
37 techniques for the safe operation and proper maintenance of a motor
38 vehicle; the applicant's knowledge of portions of the mechanism of
39 motor vehicles as is necessary to insure the safe operation of a
40 vehicle of the kind or kinds indicated by the applicant; and the
41 applicant's knowledge of the laws and ordinary usages of the road.
42 The examination shall be made available in English and each of the
43 three languages, other than English, most commonly spoken in the
44 State, as determined by the chief administrator. The chief
45 administrator shall periodically, and at least every five years, verify
46 the three languages, other than English, most commonly spoken in
47 the State.

48 A person shall not sit for an examination for any permit without
49 exhibiting photo identification deemed acceptable by the

1 commission, unless that person is a high school student
2 participating in a course of automobile driving education approved
3 by the State Department of Education and conducted in a public,
4 parochial, or private school of this State, pursuant to section 1 of
5 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
6 written law knowledge examination for any person 18 years of age
7 or older possessing a valid driver's license issued by any other state,
8 the District of Columbia, or the United States Territories of
9 American Samoa, Guam, ¹Northern Mariana Islands,¹ Puerto Rico,
10 or the Virgin Islands. The commission shall be required to provide
11 that person with a booklet that highlights those motor vehicle laws
12 unique to New Jersey. A road test shall be required for a
13 probationary license and serve as a demonstration of the applicant's
14 ability to operate a vehicle of the class designated. During the road
15 test, an applicant may use a rear visibility system, parking sensors,
16 or other technology installed on the motor vehicle that enables the
17 applicant to view areas directly behind the vehicle or alerts the
18 applicant of obstacles while parking.

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

38 A person who successfully completes a road test for a
39 motorcycle license or a motorcycle endorsement when operating a
40 motorcycle or motorized scooter with an engine displacement of
41 less than 231 cubic centimeters shall be issued a motorcycle license
42 or endorsement restricting the person's operation of the vehicles to
43 any motorcycle with an engine displacement of 500 cubic
44 centimeters or less. A person who successfully completes a road
45 test for a motorcycle license or motorcycle endorsement when
46 operating a motorcycle with an engine displacement of 231 or more
47 cubic centimeters shall be issued a motorcycle license or
48 endorsement without any restriction as to engine displacement.
49 Any person who successfully completes an approved motorcycle

1 safety education course established pursuant to the provisions of
2 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
3 motorcycle license or endorsement without restriction as to engine
4 displacement.

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

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

22 (1) as a condition for obtaining a standard motorcycle license,
23 ¹two documents proof of the person's social security number and
24 one document¹ providing satisfactory proof that the person is a New
25 Jersey resident ¹and proof of the person's social security
26 number¹.

27 If the person does not have a social security number, the person
28 shall ¹either:

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

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

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

43 A standard motorcycle license shall indicate that the license shall
44 not be accepted as identification for an official purpose, as that term
45 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
46 acts amendatory or supplementary thereto, and any federal
47 regulations adopted thereunder ¹, and shall bear a unique design or

1 color to indicate that the license shall not be accepted for such
2 official purpose】¹.

3 The commission shall issue a standard basic driver's license or a
4 REAL ID basic driver's license to operate a motor vehicle other
5 than a motorcycle to a person over 18 years of age who previously
6 has not been licensed to drive a motor vehicle in this State or
7 another jurisdiction only if that person has: (1) operated a passenger
8 automobile in compliance with the requirements of this Title for not
9 less than one year, not including any period of suspension or
10 postponement, from the date of issuance of a probationary license
11 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
12 assessed more than two motor vehicle points; (3) not been convicted
13 in the previous year for a violation of R.S.39:4-50, section 2 of
14 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
15 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,
16 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
17 motor vehicle-related violation the commission determines to be
18 significant and applicable pursuant to regulation; and (4) passed an
19 examination of the applicant's ability to operate a motor vehicle
20 pursuant to this section.

21 The commission shall expand the driver's license examination by
22 20 percent. The additional questions to be added shall consist solely
23 of questions developed in conjunction with the Department of
24 Health concerning the use of alcohol or drugs as related to highway
25 safety. The commission shall develop, in conjunction with the
26 Department of Health, supplements to the driver's manual which
27 shall include information necessary to answer any question on the
28 driver's license examination concerning alcohol or drugs as related
29 to highway safety.

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

46 The commission shall expand the driver's license examination to
47 include a question asking whether the applicant is aware of the
48 provisions of the "Revised Uniform Anatomical Gift Act,"
49 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on

1 the driver's license the intention to make a donation of body organs
2 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

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

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

12 Any person applying for a driver's license to operate a motor
13 vehicle or motorized bicycle in this State shall surrender to the
14 commission any current driver's license issued to the applicant by
15 another state or jurisdiction upon the applicant's receipt of a driver's
16 license for this State. The commission shall refuse to issue a
17 driver's license if the applicant fails to comply with this provision.

18 An applicant for a permit or license who is **[less than]** under 18
19 years of age, and who holds a permit or license for a passenger
20 automobile issued by another state or country that is valid or has
21 expired within a time period designated by the commission, shall be
22 subject to the permit and license requirements and penalties
23 applicable to State permit and license applicants who are of the
24 same age; except that if the other state or country has permit or
25 license standards substantially similar to those of this State, the
26 credentials of the other state or country shall be acceptable.

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

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

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

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

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

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

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

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

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

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

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

39 **【Motorcycle】** Standard motorcycle license or endorsement:
40 \$18.

41 REAL ID motorcycle license: \$29.

42 Omnibus or school bus endorsement: \$18.

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

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

45 The commission shall waive the payment of fees for issuance of
46 omnibus endorsements whenever an applicant establishes to the
47 commission's satisfaction that the applicant will use the omnibus
48 endorsement exclusively for operating omnibuses owned by a

1 nonprofit organization duly incorporated under ¹~~【Title】~~ Titles¹ 15
2 or 16 of the Revised Statutes or Title 15A of the New Jersey
3 Statutes.

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

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

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

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

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

35 (1) as a condition for obtaining a permit and standard basic
36 driver's license, ¹~~【two documents】~~ proof of the person's social
37 security number and one document¹ providing satisfactory proof
38 that the applicant is a New Jersey resident ¹~~【and proof of the~~
39 applicant's social security number¹. If the person does not have a
40 social security number, the person shall ¹either:

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

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

47 (2) as a condition for obtaining a REAL ID basic driver's
48 license: two documents providing satisfactory proof that the

1 applicant is a New Jersey resident; proof of the applicant's social
2 security number or verification of ineligibility for a social security
3 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
4 13, any acts amendatory or supplementary thereto, and any federal
5 regulations adopted thereunder; and proof that the applicant's
6 presence in the United States is authorized under federal law.

7 A standard basic driver's license shall indicate that the license
8 shall not be accepted as identification for an official purpose, as that
9 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
10 any acts amendatory or supplementary thereto, and any federal
11 regulations adopted thereunder ¹, and shall bear a unique design or
12 color to indicate that the license shall not be accepted for such
13 official purpose ¹.

14 If the commission has reasonable cause to suspect that any
15 document presented by an applicant **【**as proof of identity, age, or
16 legal residency**】** pursuant to this section is altered, false, or
17 otherwise invalid, the commission shall refuse to grant the permit or
18 license until the time when the document may be verified by the
19 issuing agency to the commission's satisfaction.

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

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

34 Any documents and personal information, including an
35 applicant's photograph, obtained by the commission from an
36 applicant for a standard basic driver's license or standard
37 motorcycle license shall be confidential, shall not be considered a
38 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
39 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
40 access to government records, and shall not be disclosed by the
41 commission for ¹【the purpose of investigation, arrest, citation,
42 prosecution, or detention related to an applicant's citizenship or
43 immigration status】 any purpose related to Title 8 of the United States
44 Code ¹ without the ¹informed ¹ consent of the applicant ¹【or without
45 a valid】 , a warrant signed by a State or federal judge, or a lawful
46 court order or subpoena; except that ¹【the commission shall not be
47 restricted, prohibited, or prevented from maintaining, or sending to
48 or receiving from federal immigration authorities information

1 regarding the citizenship or immigration status, lawful or unlawful,
2 of any individual, pursuant to 8 U.S.C. s.1373 and 8 U.S.C. s.1644.
3 Any person that knowingly discloses any documents or personal
4 information in violation of this section shall be guilty of a crime of
5 the fourth degree.】 nothing in this section shall be construed to
6 prohibit, or in any way restrict, any action where such prohibition or
7 restriction would be contrary to federal law. When responding to a
8 warrant, court order, or subpoena, the commission may disclose only
9 those records or information specifically requested in the warrant,
10 court order, or subpoena.¹

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

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

33 As used in this section:

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

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

41 (cf: P.L.2017, c.374, s.1)

42

43 ¹**[3.] 9.** R.S.39:3-31 is amended to read as follows:

44 39:3-31. a. The chief administrator, upon presentation of a
45 statement duly sworn to, stating that the original registration
46 certificate or original motorized bicycle registration certificate has
47 been destroyed, lost or stolen, may, if **[he]** the chief administrator
48 is satisfied that the facts as set forth in the statement are

1 substantially true, issue a duplicate or amended registration
2 certificate or motorized bicycle registration certificate to the
3 original holder thereof, upon the payment to the chief administrator
4 of a fee of \$5 for each duplicate or amended registration certificate
5 or motorized bicycle registration certificate so issued. The chief
6 administrator, upon presentation of a statement, duly sworn to,
7 stating that the original driver's license has been destroyed, lost or
8 stolen, or requesting a new color **[picture]** photograph, may, if
9 **[he]** the chief administrator is satisfied that the facts as set forth in
10 the statement are substantially true, issue a duplicate driver's license
11 to the original holder thereof, upon payment to the chief
12 administrator of a fee of \$5 in addition to the digitized **[picture]**
13 photograph fee. Notwithstanding any other provision of law to the
14 contrary, the fee for a duplicate or amended registration certificate
15 for any new passenger automobile required to be registered for a
16 48-month term or for any new passenger automobile leased for a
17 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

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

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

30

31 ¹**[4.]** 10.¹ Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended
32 to read as follows:

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

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

16 Each initial driver's license issued to a person under the age of
17 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)
18 shall be conspicuously distinct, through the use of color and design,
19 from the driver's licenses issued to persons 21 years of age or older.
20 The chief administrator, in consultation with the Superintendent of
21 State Police, shall determine the color and the manner in which the
22 license is designed to achieve this result. The license shall **【also】**
23 bear the words "UNDER 21" in a conspicuous manner. The chief
24 administrator shall provide that, upon attaining the age of 21, a
25 licensee shall be issued a replacement driver's license or a new
26 license, as appropriate. The fee for a replacement license shall be
27 \$5 in addition to the digitized **【picture】** photograph fee.

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

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

45 Whenever a person has reconstructive or cosmetic surgery which
46 significantly alters the person's facial features, the person shall
47 notify the chief administrator who may require the **【picture】**

1 photograph of the licensee to be updated for \$5 in addition to the
2 digitized **【picture】** photograph fee.

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

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

16 (cf: P.L.2015, c.306, s.1)

17

18 ¹**【5.】** 11.¹ Section 4 of P.L.2001, c.391 (C.39:3-10f4) is
19 amended to read as follows:

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

24 (cf: P.L.2001, c.391, s.4)

25

26 ¹**【6.】** 12.¹ R.S.39:3-13 is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

34 In addition to requiring an applicant for an examination permit to
35 submit satisfactory proof of identity and age ¹in accordance with the
36 type of license for which the applicant has applied¹, the chief
37 administrator also shall require the applicant to provide¹**【,** as a
38 condition for obtaining the permit, **two】** the requisite number of¹
39 documents providing satisfactory proof that the **【applicant's**
40 **presence in the United States is authorized under federal law】**
41 applicant is a resident of the State ¹【. An applicant for a
42 commercial driver license permit shall submit satisfactory proof
43 that the applicant's presence in the United States is authorized
44 under federal law and proof of the applicant's social security
45 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any
46 acts amendatory or supplementary thereto, and any federal
47 regulations adopted thereunder.】 in accordance with the provisions of
48 R.S.39:3-10.

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

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

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

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

43 ¹A person violating this section shall be subject to a fine not
44 exceeding \$500 or imprisonment in the county jail for not more
45 than 60 days, but if that person has never been licensed to drive in
46 this State or any other jurisdiction, the applicant shall be subject to
47 a fine of not less than \$200 and, in addition, the court shall issue an
48 order to the commission requiring the commission to refuse to issue

1 a license to operate a motor vehicle to the person for a period of not
2 less than 180 days.¹

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

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

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

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

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

40 As a condition for the issuance of an examination permit under
41 this section, the chief administrator shall secure a digitized
42 **[picture]** photograph of the applicant. The **[picture]** photograph
43 shall be stored in a manner prescribed by the chief administrator
44 and may be displayed on the examination permit.

45 The chief administrator may require that whenever a person to
46 whom an examination permit has been issued has reconstructive or
47 cosmetic surgery which significantly alters the person's facial

1 features, the person shall notify the chief administrator who may
2 require the **[picture]** photograph of the person to be updated.

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

11

12 ¹**[7.] 13.**¹ Section 1 of P.L.1950, c.127 (C.39:3-13.1) is
13 amended to read as follows:

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

28 In addition to requiring an applicant for a permit to submit
29 satisfactory proof of identity and age ¹in accordance with the type of
30 license for which the applicant has applied¹, the chief administrator
31 also shall require the applicant to provide ¹**[**, as a condition for
32 obtaining the permit, **two]** the requisite number of¹ documents
33 providing satisfactory proof that the **[applicant's presence in the**
34 **United States is authorized under federal law]** applicant is a
35 resident of the State.

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

1 may disclose only those records or information specifically requested
2 in the warrant, court order, or subpoena.

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

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

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

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

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

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

1 ¹**[8.] 14.**¹ Section 4 of P.L.1950, c.127 (C.39:3-13.4) is
2 amended to read as follows:

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

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

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

38 d. In addition to any other penalties provided under law, the
39 holder of a probationary license who accumulates more than two
40 motor vehicle points or is convicted of a violation of R.S.39:4-50;
41 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
42 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
43 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or
44 any other motor vehicle law the chief administrator deems to be
45 significant and applicable pursuant to regulation shall, for the first
46 violation, be required to satisfactorily complete a remedial training
47 course of not less than four hours which may be given by the
48 commission, a driving school licensed by the chief administrator
49 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any

1 Statewide safety organization approved by the chief administrator.
2 The course shall be administered pursuant to rules and regulations
3 promulgated by the chief administrator and subject to oversight by
4 the commission. The authority of the chief administrator to
5 suspend, revoke, or deny issuance of an initial or renewal license to
6 operate a driving school or an instructor's license, and to assess
7 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to
8 any violations related to the administration of a remedial training
9 course. The license holder shall also remit a course fee prior to the
10 commencement of the course.

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

24 f. The chief administrator shall provide the holder of a
25 probationary license with two removable, transferable, highly
26 visible, reflective decals indicating that the driver of the vehicle
27 may be the holder of a probationary license. The decals shall be
28 designed by the chief administrator, in consultation with the
29 Division of Highway Traffic Safety in the Department of Law and
30 Public Safety. The chief administrator may charge a fee for the
31 decals not to exceed the actual cost of producing and distributing
32 the decals. The decals shall be displayed in a manner prescribed by
33 the chief administrator, in consultation with the Division of
34 Highway Traffic Safety in the Department of Law and Public
35 Safety, and shall be clearly visible to law enforcement officers. The
36 holder of a probationary license shall not operate a vehicle unless
37 the decals are displayed. The decal shall be removed once the
38 driver's probationary license period has ended.

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

43 h. A person issued a probationary license pursuant to this
44 section may be issued a standard probationary license or a REAL
45 ID probationary license. ¹The chief administrator shall require an
46 applicant for a standard probationary license to provide as proof of
47 the applicant's identity, age, and residence primary and secondary
48 documents, with which the chief administrator shall attribute point
49 values in accordance with the point based identification verification

1 program established pursuant to section 28 of P.L.2003, c.13
2 (C.39:2A-28). The point total required to prove the identity of an
3 applicant for the standard probationary license shall be the same for
4 every applicant, regardless of immigration status. In the event that
5 the commission changes the point total threshold, the requirement
6 that every applicant reach the same point total threshold shall
7 remain in effect.¹

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

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

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

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

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

31 A standard probationary license shall indicate that the license
32 shall not be accepted as identification for an official purpose, as that
33 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
34 any acts amendatory or supplementary thereto, and any federal
35 regulations adopted thereunder ¹["], and shall bear a unique design or
36 color to indicate that the license shall not be accepted for such
37 official purpose"]¹.

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

44 ¹A person violating this section shall be subject to a fine not
45 exceeding \$500 or imprisonment in the county jail for not more
46 than 60 days, but if that person has never been licensed to drive in
47 this State or any other jurisdiction, the applicant shall be subject to
48 a fine of not less than \$200 and, in addition, the court shall issue an

1 order to the commission requiring the commission to refuse to issue
2 a license to operate a motor vehicle to the person for a period of not
3 less than 180 days.¹

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

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

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

1 identification card fraud.¹
2 (cf: P.L.2017, c.165, s.13)

3
4 ¹**[9.]** 15. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended
5 to read as follows:

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

20 ¹A person issued an identification card pursuant to this section
21 may be issued a standard identification card or a REAL ID
22 identification card. The chief administrator shall require any
23 applicant for a standard identification card to provide as proof of
24 the applicant's identity, age, and residence primary and secondary
25 documents, with which the chief administrator shall attribute point
26 values in accordance with the point based identification verification
27 program established pursuant to section 28 of P.L.2003, c.13
28 (C.39:2A-28). The point total required to prove the identity of an
29 applicant for the standard probationary license shall be the same for
30 every applicant, regardless of immigration status. In the event that
31 the commission changes the point total threshold, the requirement
32 that every applicant reach the same point total threshold shall
33 remain in effect.¹

34 In addition to requiring an applicant for an identification card to
35 submit satisfactory proof of identity, age, and, if appropriate,
36 veteran status, the chief administrator also shall require the
37 applicant to provide**[.]:**

38 (a) as a condition for obtaining **[the]** a standard identification
39 card, ¹**[two documents]** proof of the applicant's social security
40 number and one document¹ providing satisfactory proof that the
41 applicant is a New Jersey resident ¹**[and proof of the applicant's**
42 social security number]¹. If the applicant does not have a social
43 security number, the applicant shall ¹either:

44 (i) provide satisfactory proof of an Individual Taxpayer
45 Identification Number; or

46 (ii)¹ indicate, in a manner prescribed by the commission ¹and
47 consistent with all other provisions of P.L. , c. (C.) (pending

1 before the Legislature as this bill)¹ , that the applicant is not eligible
2 to receive a social security number; or

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

11 Any documents and personal information, including an
12 applicant’s photograph, obtained by the commission from an
13 applicant for a standard identification card shall be confidential,
14 shall not be considered a government record pursuant to P.L.1963,
15 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
16 common law concerning access to government records, and shall
17 not be disclosed by the commission for ¹the purpose of
18 investigation, arrest, citation, prosecution, or detention related to an
19 applicant’s citizenship or immigration status.] any purposes related
20 to Title 8 of the United States Code¹ without the ¹informed¹ consent
21 of the applicant ¹or without a valid¹ , a warrant signed by a State
22 or federal judge, or a lawful¹ court order or subpoena; except that
23 ¹the commission shall not be restricted, prohibited, or prevented
24 from maintaining, or sending to or receiving from federal
25 immigration authorities information regarding the citizenship or
26 immigration status, lawful or unlawful, of any individual, pursuant
27 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly
28 discloses any documents or personal information in violation of this
29 section shall be guilty of a crime of the fourth degree.] nothing in
30 this section shall be construed to prohibit, or in any way restrict, any
31 action where such prohibition or restriction would be contrary to
32 federal law. When responding to a warrant, court order, or subpoena,
33 the commission may disclose only those records or information
34 specifically requested in the warrant, court order, or subpoena.¹

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

39 ¹Information regarding an applicant’s Individual Tax Identification
40 Number, social security number, or ineligibility to receive a social
41 security number obtained by the commission for the issuance of a
42 standard identification card pursuant to this section, shall not be
43 considered a government record pursuant to P.L.1963, c.73
44 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
45 common law concerning access to government records, and shall not
46 be disclosed by the commission except where: (1) required by section
47 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant provides written
48 informed consent to the disclosure; (3) the requesting entity presents a

1 warrant signed by a State or federal judge, a lawful court order, or a
2 subpoena; (4) required by State or federal law, and to the extent that
3 the disclosure may be necessary to permit the State to participate in the
4 National Driver Register program, as set forth in 49 U.S.C. s.30301 et
5 seq.; or (5) the disclosure is in connection with an audit or
6 investigation of identity fraud, driver's license fraud, or non-driver
7 identification card fraud.¹

8 If the chief administrator has reasonable cause to suspect that
9 any document presented by an applicant [as proof of identity, age,
10 veteran status, or legal residency] pursuant to this section is altered,
11 false or otherwise invalid, the chief administrator shall refuse to
12 grant the identification card until such time as the document may be
13 verified by the issuing agency to the chief administrator's
14 satisfaction.

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

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

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

32 c. For the purpose of this section:

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

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

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

44 "Satisfactory proof" means, in the case of a veteran, a copy of
45 form ¹NGB-22,¹ DD-214 or federal activation orders showing
46 service under Title 10, section 672 or section 12301, of the United
47 States Code, or a county veteran identification card only if issuance
48 of the card requires a copy of form DD-214 discharge papers or

1 approved separation forms as outlined by all branches of the
2 military and duly recorded by the county clerk's office. In the case
3 of a Gold Star Family member, satisfactory proof includes any or
4 all of the following:

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

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

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

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

24
25 ¹**[10.] 16.**¹ Section 3 of P.L.1980, c.47 (C.39:3-29.4) is
26 amended to read as follows:

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

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

42
43 ¹**[11.] 17.**¹ Section 4 of P.L.1980, c.47 (C.39:3-29.5) is
44 amended to read as follows:

45 4. a. Except as provided in subsection b. of this section, each
46 original identification card authorized by section 2 of P.L.1980,
47 c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise
48 provided, expire during the fourth calendar year following its date

1 of issuance and on the same calendar day as the person's date of
 2 birth. If the date of birth of the bearer of the identification card
 3 does not correspond to a calendar day of the fourth calendar year,
 4 the identification card shall expire on the last day of the birth month
 5 of the bearer of the card.

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

28 b. If the chief administrator issues **[an] a REAL ID**
 29 identification card to a person who has demonstrated authorization
 30 to be present in the United States for a period of time shorter than
 31 the standard periods of identification cards, the chief administrator
 32 shall fix the expiration date of the REAL ID identification card at a
 33 date based on the period in which the person is authorized to be
 34 present in the United States under federal immigration laws. The
 35 chief administrator may renew such **[an] REAL ID** identification
 36 card only if it is demonstrated that the person's continued presence
 37 in the United States is authorized under federal law.
 38 (cf: P.L.2017, c.131, s.153)

39
 40 ¹**[12.] 18.**¹ Section 6 of P.L.1980, c.47 (C.39:3-29.7) is
 41 amended to read as follows:

42 6. a. The chief administrator shall charge fees as follows:
 43 Standard Identification Card, Original \$18
 44 Identification Card, Duplicate \$5
 45 Identification Card, Renewal \$18
 46 REAL ID Identification Card \$29
 47 Digitized **[picture]** photograph \$6, in addition
 48 to the fees

1 required above
2 b. The chief administrator may waive the fees established
3 under subsection a. of this section for a homeless person who
4 submits proof of temporary residence through a social worker or the
5 coordinator of an emergency shelter for the homeless where the
6 person is temporarily residing. For the purposes of this section,
7 "homeless person" means a person without a domicile who is
8 unable to secure permanent and stable housing as determined by a
9 social worker or the coordinator of an emergency shelter for the
10 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et
11 seq.).

12 c. The chief administrator may waive the fee imposed for a
13 duplicate identification card if the applicant, at the time of
14 application: is applying for a REAL ID identification card, as that
15 term is defined in R.S.39:1-1; currently holds a valid identification
16 card issued by the commission; and is not eligible to renew the
17 applicant's current identification card. The chief administrator's
18 authority to waive the duplicate identification card fee under this
19 subsection shall expire on October 1, 2020. In order to receive a
20 REAL ID identification card pursuant to this subsection, the
21 applicant shall first surrender to the commission the applicant's
22 current identification card.
23 (cf: P.L.2016, c.99, s.1)

24
25 ¹**[13.] 19.** Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is
26 amended to read as follows:

27 15. a. Insurers shall put in writing all underwriting rules
28 applicable to each rate level utilized pursuant to section 14 of
29 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account
30 factors, including, but not limited to, driving record characteristics
31 appropriate for underwriting and classification in formulating its
32 underwriting rules; provided that no underwriting rule based on
33 motor vehicle violations shall be formulated in such a manner as to
34 assign any named insured to a rating tier other than the standard
35 rating tier applicable to the insured's territory solely on the basis of
36 accumulating four motor vehicle points or less. No underwriting
37 rule shall operate in such a manner as to assign a risk to a rating
38 plan on the basis of the territory in which the insured resides or any
39 other factor which the commissioner finds is a surrogate for
40 territory. No underwriting rule shall operate in such a manner as to
41 assign a risk to a rating plan on the basis of an insured holding a
42 standard motorcycle license or standard basic driver's license issued
43 pursuant to R.S.39:3-10, or standard probationary license issued
44 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer
45 which knowingly fails to transact automobile insurance consistently
46 with its underwriting rules shall be subject to a fine of not less than
47 \$1,000 for each violation.

48 b. All underwriting rules applicable to each rate level as
49 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall

1 be filed with the commissioner and shall be subject to **his** the
2 commissioner's prior approval. All underwriting rules shall be
3 subject to public inspection. Except as provided in subsection d. of
4 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their
5 underwriting rules uniformly and without exception throughout the
6 State, so that every applicant or insured conforming with the
7 underwriting rules will be insured or renewed, and so that every
8 applicant not conforming with the underwriting rules will be
9 refused insurance.

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

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

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

23

24 **14.** 20.¹ Section 2 of P.L.1989, c.326 (C.39:3-9b) is
25 amended to read as follows:

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

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

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

6
7 ¹[15.] 22.¹ (New section) ¹a. A person or entity shall not
8 discriminate against any person based upon the fact that the person
9 applied for, was issued, holds, or presents a standard basic driver's
10 license, standard motorcycle license, standard permit, standard
11 probationary license, or standard identification card.¹

12 The holder of a standard basic driver's license or standard
13 motorcycle license issued pursuant to R.S.39:3-10, standard
14 probationary license issued pursuant to section 4 of P.L. 1950, c.127
15 (C.39:3-13.4), and standard identification card issued pursuant to
16 section 2 of P.L.1980, c.47 (C.39:3-29.3), shall have the
17 opportunity to obtain employment and to obtain all the
18 accommodations, advantages, facilities, and privileges of any place
19 of public accommodation, publicly assisted housing accommodation
20 in which the person meets all qualifications for receipt of the
21 publicly assisted housing accommodation under State or federal
22 law, and other real property without discrimination by reason of
23 holding or presenting a standard basic driver's license, standard
24 motorcycle license, standard probationary license, or standard
25 identification card, subject only to conditions and limitations
26 applicable alike to all persons.

27 Nothing in this section shall be construed to alter an employer's
28 rights or obligations under 8 U.S.C. s.1324a regarding obtaining
29 documentation evidencing identity and authorization for
30 employment. ¹[An action taken by an employer that is required by
31 8 U.S.C. s.1324a shall not constitute a violation of this section.]
32 Any action that is required by federal or State law or regulation, or
33 by government contract shall not constitute a violation of this
34 section.

35 b. The provisions of this section shall also apply to the State,
36 any political subdivision of the State, any agency or instrumentality
37 of the State, and to any political subdivision of the State, and the
38 employees, officers, or officials thereof, including law enforcement
39 officers. Employees, officers, or officials, including law
40 enforcement officers shall accept any standard basic driver's
41 license, standard motorcycle license, standard permit, standard
42 probationary license, or standard identification card, as proof of
43 identity, age, and State residency of its holder and shall not
44 discriminate against an individual based upon the fact that the
45 individual applied for, was issued, holds, or presents a standard
46 basic driver's license, standard motorcycle license, standard permit,
47 standard probationary license, or standard identification card.¹

1 ¹**[16.] 23.** Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is
2 amended to read as follows:

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

9 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of
10 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152
11 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6
12 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108
13 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-
14 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of
15 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-
16 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);
17 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,
18 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);
19 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162
20 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);
21 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-
22 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,
23 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);
24 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,
25 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);
26 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77
27 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-
28 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of
29 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-
30 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);
31 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2
32 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307
33 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section
34 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;
35 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,
36 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);
37 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,
38 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156
39 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of
40 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-
41 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of
42 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-
43 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of
44 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-
45 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;
46 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-
47 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;
48 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,
49 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

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

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

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

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

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

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

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

33
34 ¹**[18.]** 24.¹ R.S.39:3-41 is amended to read as follows:

35 39:3-41. a. At the time of the issuance of an examination
36 permit or a special learner's permit to operate a motor vehicle, the
37 chief administrator shall make available to each applicant for the
38 examination permit or special learner's permit a driver's manual
39 containing information required to be known and followed by
40 licensed drivers relating to licensing requirements.

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

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

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

7 d. The chief administrator, following consultation with the
8 organ procurement organizations designated pursuant to 42 U.S.C.
9 s.1320b-8 to serve in the State of New Jersey, shall include in the
10 driver's manual information explaining the provisions of the
11 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77
12 et al.), the beneficial uses of donated organs and tissues, and the
13 procedure for indicating on the driver's license the intention to
14 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-
15 12.2). The chief administrator may distribute all remaining copies
16 of the existing driver's manual before reprinting the manual with the
17 information required pursuant to this subsection.

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

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

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

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

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

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

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

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

46 f. The chief administrator, in consultation with the
47 Commissioner of Health and the Director of the Division of
48 Highway Traffic Safety in the Department of Law and Public
49 Safety, shall include in the driver's manual information explaining

1 the dangers of carbon monoxide poisoning from motor vehicles and
2 techniques for the safe operation and proper maintenance of a motor
3 vehicle. The chief administrator may distribute all remaining
4 copies of any existing driver's manual before reprinting the manual
5 with the information required pursuant to this subsection.

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

7
8 **¹[19.] 25.¹** (New section) The Chief Administrator of the New
9 Jersey Motor Vehicle Commission, in consultation with the
10 Attorney General, shall establish a public awareness campaign for
11 the duration of 24 months following the effective date of P.L. ,
12 c. (C.) (pending before the Legislature as this bill) to inform
13 the general public about the availability of and the requirements to
14 obtain a standard and REAL ID basic driver's license, motorcycle
15 license, probationary license, and identification card.

16
17 **¹[20.] 26.¹** (New section) a. There is created an advisory
18 board to be known as the "Standard and REAL ID Driver License
19 and Identification Card Advisory Board."

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

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

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

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

38 (3) nine public members as follows:

39 (a) three members appointed by the Governor;

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

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

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

46 e. The advisory board shall organize **¹[as soon as practicable**
47 **following the appointment of its members]** within 90 days of the
48 effective of P.L. , c. (C.) (pending before the Legislature as

1 this bill)¹, and shall select a chairperson and vice-chairperson from
2 among its members.

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

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

14 h. No later than 12 months after the effective date of P.L. ,
15 c. (C.) (pending before the Legislature as this bill), the
16 advisory board shall report to the Governor, and to the Legislature
17 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its findings
18 and recommendations. The advisory board shall terminate upon
19 submission of the report.
20

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

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

29 c.¹ Section ¹**[20]** 26¹ of this act shall expire upon submission
30 of the advisory board's report required to be prepared and submitted
31 pursuant to subsection h. of section ¹**[20]** 26¹ of this act.