ASSEMBLY, No. 2218

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman JOHN F. MCKEON
District 27 (Essex and Morris)

SYNOPSIS

Provides that organ donor designation on driver's license or identification card remains upon renewal of license or card under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning organ donation and amending P.L.1978, c.181.

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

1. Section 1 of P.L.1978, c.181 (C.39:3-12.2) is amended to read as follows:

1. a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall provide with every examination permit, special learner's permit, motorcycle-only examination permit, motorized bicycle license, new license, renewal license, identification card, or renewal identification card the opportunity for each person pursuant to the provisions of the "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77 et seq.), to designate that the person shall donate all or any organs or tissues for the purposes of transplantation or therapy.

A person who is designated as an organ donor on the person's license or identification card shall remain designated as an organ donor upon the renewal of the license or identification card, unless the person removes the designation. The chief administrator shall provide the opportunity to remove the designation upon renewal of the license or identification card.

b. The designation indicating that a person is a donor pursuant to subsection a. of this section shall be done in accordance with procedures prescribed by the chief administrator. The designation shall be displayed in print in a conspicuous form and manner on the permit, license, or identification card, and electronically, by substantially the following statement: "ORGAN DONOR" and shall constitute sufficient legal authority for the removal of organs or tissues for the purposes of transplantation or therapy upon the death of the permit holder, licensee, or identification cardholder. The designation shall be removed in accordance with procedures prescribed by the chief administrator.

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

d. (Deleted by amendment, P.L.2007, c.80)

e. The chief administrator, in consultation with those organ procurement organizations designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey, shall establish and provide an annual education program for commission employees and personnel. The program shall focus on the benefits associated with organ and tissue donations, the scope and operation of New Jersey's donor program, and how the commission's employees and personnel can effectively inform the public about the donor program and can best assist those wishing to participate

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.

in the donor program, including use of the Donate Life NJ Registry, established pursuant to P.L.2008, c.48 (C.26:6-66 et al.).

f. The chief administrator shall electronically record and store all organ donor designations and identification information, and shall provide the organ procurement organizations designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey with real-time electronic access to the organ donor designation information collected pursuant to subsection a. of this section. An organ procurement organization designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey, or any donor registry established by any such organization, shall have real-time electronic access to those organ donor designations and identification at all times, without exception, for the purposes of verifying organ and tissue donation status and identity. For these purposes, the federally designated organ procurement organization shall have electronic access to each recorded donor's name, address, date of birth, gender, color of eyes, height, driver's license number, date of donor registration, and date of removal from the registry if applicable. Upon request, the chief administrator shall provide a copy of the donor's original driver's license application.

g. Those organ procurement organizations designated pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey may contract with a third party, in consultation with the chief administrator, to assess, develop, and implement any system set-up necessary to support the initial and ongoing electronic access by those organizations to the donor designation and identification information required to be made available in accordance with the provisions of this section; however, the organ procurement organizations shall not be required to incur an aggregate cost in excess of $50,000 for the purposes of this subsection.

(cf: P.L.2017, c.377, s.2)

2. This act shall take effect on the first day of the seventh month after enactment, but the Chief Administrator of the Motor Vehicle Commission may take such administrative action in advance of the effective date as may be necessary.

STATEMENT

This bill provides that a designation as an organ donor on a driver’s license or identification card is to remain upon the renewal of the license or card under certain circumstances.

Under current law, the Chief Administrator of the Motor Vehicle Commission (MVC) is required to provide with every motorized bicycle license and every new or renewal driver’s license or identification card the opportunity for a person to designate that he or she is an organ donor.

Under the provisions of this bill, a person who is designated as an organ donor on his or her driver's license, identification card, or motorized bicycle license will remain an organ donor upon the renewal of the license or identification card, unless the person removes the designation. The bill requires the chief administrator to provide with each renewal license or identification card the opportunity for the person to remove the designation.