

ASSEMBLY, No. 2296

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

Assemblywoman Reynolds-Jackson

SYNOPSIS

Permits incarcerated person to renew driver's license using existing digitized picture on file with MVC.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/27/2020)

1 AN ACT concerning the renewal of driver's licenses for certain
2 persons and amending P.L.1979, c.261 and P.L.2009, c.329.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.2009, c.329 (C.30:1B-6.2) is amended to
8 read as follows:

9 2. The Commissioner of Corrections shall provide to each
10 inmate at least ten days prior to release from a State correctional
11 facility:

12 a. A copy of the inmate's criminal history record and written
13 information on the inmate's right to have his criminal records
14 expunged under chapter 52 of Title 2C of the New Jersey Statutes;

15 b. General written information on the inmate's right to vote
16 under R.S.19:4-1;

17 c. General written information on the availability of programs,
18 including faith-based and secular programs, that would assist in
19 removing barriers to the inmate's employment or participation in
20 vocational or educational rehabilitative programs, including, but not
21 limited to information concerning the "Rehabilitated Convicted
22 Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the
23 certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et
24 seq.);

25 d. A detailed written record of the inmate's participation in
26 educational, training, employment, and medical or other treatment
27 programs while the inmate was incarcerated;

28 e. A written accounting of the fines, assessments, surcharges,
29 restitution, penalties, child support arrearages, and any other
30 obligations due and payable by the inmate upon release;

31 f. A non-driver identification card, which shall be issued by
32 the New Jersey Motor Vehicle Commission pursuant to section 2 of
33 P.L.1980, c.47 (C.39:3-29.3) and for which the Motor Vehicle
34 Commission shall accept a former inmate's Department of
35 Corrections identification card to have a two-point value in
36 applying for the non-driver identification card;

37 g. A copy of the inmate's birth certificate if the inmate was
38 born in New Jersey;

39 h. Assistance in obtaining a Social Security card;

40 i. A one-day New Jersey bus or rail pass;

41 j. A two-week supply of prescription medication;

42 k. General written information concerning child support,
43 including child support payments owed by the inmate, information
44 on how to seek child support payments and information on where to
45 seek services regarding child support, child custody, and
46 establishing parentage; and

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.

1 l. (1) A medical discharge summary, which shall include
2 instructions on how to obtain from the commissioner a copy of the
3 inmate's full medical record. Upon request from the inmate, the
4 commissioner shall provide a copy of the inmate's full medical
5 record in a safe and secure manner, at no charge to the inmate.

6 (2) Within 90 days of the effective date of this act, the
7 commissioner, in consultation with the State Board of Medical
8 Examiners, shall adopt rules and regulations, pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), to ensure that these records are expeditiously and securely
11 provided, in a manner consistent with the provision of medical
12 records by other providers.

13 (cf: P.L.2011, c.191, s.1)

14
15 2. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read
16 as follows:

17 1. In addition to the requirements for the form and content of a
18 motor vehicle driver's license under R.S.39:3-10 and a probationary
19 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on
20 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),
21 each initial New Jersey license, each renewal of a New Jersey
22 driver's license, and each probationary license shall have a digitized
23 photograph of the licensee. All licenses issued on and after January
24 1, 2000 shall be valid for a period of 48 calendar months. However,
25 the chief administrator may, at the chief administrator's discretion,
26 issue licenses and endorsements that shall expire on a date fixed by
27 the chief administrator. The fee for those licenses or endorsements
28 shall be fixed in amounts proportionately less or greater than the fee
29 otherwise established. Notwithstanding the provisions of this
30 section to the contrary, a person 70 years of age or older may elect
31 to have a license issued for a period of two or four years, which
32 election shall not be altered by the chief administrator. The fee for
33 the two-year standard license shall be \$9, in addition to the fee for a
34 digitized photograph established in section 4 of P.L.2001, c.391
35 (C.39:3-10f4). The fee for a two-year REAL ID license shall be
36 \$14.50, in addition to the fee for a digitized photograph established
37 in section 4 of P.L.2001, c.391 (C.39:3-10f4). The chief
38 administrator may, for good cause, extend a license and any
39 endorsement thereon beyond their expiration dates for periods not
40 to exceed 12 additional months. The chief administrator may
41 extend the expiration date of a license and any endorsement thereon
42 without payment of a proportionate fee **【when the chief**
43 **administrator determines that the extension is necessary】** for good
44 cause. If any license and endorsements thereon are so extended, the
45 licensee shall pay upon renewal the full license fee for the period
46 fixed by the chief administrator as if no extension had been granted.

47 Each initial driver's license issued to a person under the age of
48 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)

1 shall be conspicuously distinct, through the use of color and design,
2 from the driver's licenses issued to persons 21 years of age or older.
3 The chief administrator, in consultation with the Superintendent of
4 State Police, shall determine the color and the manner in which the
5 license is designed to achieve this result. The license shall bear the
6 words "UNDER 21" in a conspicuous manner. The chief
7 administrator shall provide that, upon attaining the age of 21, a
8 licensee shall be issued a replacement driver's license or a new
9 license, as appropriate. The fee for a replacement license shall be
10 \$5 in addition to the digitized photograph fee.

11 As **【conditions】** a condition for the renewal of a driver's license,
12 the chief administrator shall provide that the photograph of a
13 licensee be updated except that the chief administrator may elect to
14 use a stored photograph to renew a license for a period not
15 exceeding four additional years for \$18 for a standard license and
16 \$29 for a REAL ID license, in addition to the digitized photograph
17 fee.

18 In addition to any other extension, the chief administrator shall
19 allow a person to use a stored photograph to renew a license for a
20 period not exceeding one year if the person presents documentation
21 by a licensed physician that the person is undergoing medical
22 treatment for an illness and the treatment results in temporary
23 changes to the person's physical characteristics. The fee for this
24 extension shall be \$18 for a standard license and \$29 for a REAL
25 ID license and the person shall not be required to pay the digitized
26 photograph fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-
27 10f4).

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

33 In addition to any other extension, the chief administrator shall
34 allow a person who was a prisoner in any correctional institution in
35 the State to use a stored picture to renew a license for a period not
36 exceeding one year from the date that the person has been released
37 from imprisonment if the person presents to the chief administrator
38 a Department of Corrections identification card or non-driver
39 identification card issued pursuant to subsection f. of section 2 of
40 P.L.2009, c.329 (C.30:1B-6.2). The fee for this extension shall be
41 \$18 and the person shall not be required to pay the digitized picture
42 fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-10f4).

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

1 Specific use of the driver's license and any information stored or
2 encoded, electronically or otherwise, in relation thereto shall be in
3 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal
4 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.
5 Notwithstanding the provisions of any other law to the contrary, the
6 digitized photograph or any access thereto or any use thereof shall
7 not be sold, leased, or exchanged for value.
8 (cf: P.L.2019, c.271, s.10)

9
10 3. This act shall take effect on the first day of the 13th month
11 following enactment and shall apply to any driver's license issued
12 on or after the effective date. The Chief Administration of the New
13 Jersey Motor Vehicle Commission, in consultation with the
14 Commissioner for the Department of Corrections, may take such
15 anticipatory actions, in advance of the effective date, as may be
16 necessary for the timely implementation of this act.

17 18 19 STATEMENT 20

21 This bill permits a person who was incarcerated to renew the
22 person's driver's license for a period not exceeding one year from
23 the date that the person was released from imprisonment using a
24 picture on file with the New Jersey Motor Vehicle Commission
25 (MVC).

26 The bill permits a person who was incarcerated to renew a
27 driver's license if the person presents a New Jersey Department of
28 Corrections (DOC) identification card or non-driver identification
29 card issued by the MVC. Under the bill, the fee for this extension is
30 \$18 but the person is not be required to pay the digitized picture fee
31 required for the renewal of driver's licenses. The bill also amends
32 the "Fair Release and Reentry Act of 2009" to clarify that the
33 Commissioner for the DOC is required to provide to each inmate at
34 least ten days prior to release from a State correctional facility,
35 among other documents and information, a non-driver identification
36 card issued pursuant to State law by the MVC.