

ASSEMBLY, No. 2558

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblyman Caputo

SYNOPSIS

Establishes program allowing NJ licensed drivers to self-identify as having been diagnosed with post-traumatic stress disorder.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 AN ACT concerning law enforcement awareness of drivers
2 diagnosed with post-traumatic stress disorder and supplementing
3 Title 39 of the Revised Statutes.

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

7
8 1. There is established a Post-Traumatic Stress Disorder Police
9 Awareness Program to be administered by the Superintendent of the
10 Division of State Police, as hereinafter provided, to allow licensed
11 drivers of motor vehicles in this State to self-identify as having
12 been diagnosed with post-traumatic stress disorder. Participation in
13 the program shall be voluntary in nature and shall involve the
14 following:

15 a. In order to apply to participate in the program, a New Jersey
16 licensed driver shall, in the presence of the chief law enforcement
17 officer of the driver's municipality of residence, or the officer's
18 designee, submit a certification form, designed by the
19 superintendent pursuant to the provisions of section 3 of P.L. ,
20 c. (C.) (pending before the Legislature as this bill) and signed
21 by the driver and a medical professional capable of diagnosing post-
22 traumatic stress disorder, certifying that the licensed driver has been
23 diagnosed with post-traumatic stress disorder by the medical
24 professional.

25 b. Upon receiving the certification form from a licensed driver,
26 the chief law enforcement officer of the municipality, or the
27 officer's designee, shall issue a decal to the driver, designed by the
28 superintendent and provided by the municipal police department
29 and force. The decal shall be of a distinctive design and color. The
30 driver shall affix the decal to the driver's motor vehicle in a
31 conspicuous place, as prescribed by the superintendent.

32
33 2. Whenever any law enforcement officer stops a motor vehicle
34 displaying a decal issued pursuant to the provisions of section 1 of
35 P.L. , c. (C.) (pending before the Legislature as this bill) that
36 is being operated upon the public highways of this State, the officer
37 shall take notice that the driver of the motor vehicle has been
38 diagnosed with post-traumatic stress disorder, and shall
39 appropriately proceed with the motor vehicle stop.

40
41 3. a. The Superintendent of the Division of State Police shall
42 design the manner and form of the certification required under the
43 provisions of section 1 of P.L. , c. (C.) (pending before the
44 Legislature as this bill) and shall conspicuously publish a copy of
45 the certification form on the division's Internet website.

46 b. The chief law enforcement officer of any municipality shall
47 make copies of the certification form available upon request and

1 may publish a copy of the form on the municipality's Internet
2 website.

3
4 4. a. The Superintendent of the Division of State Police shall,
5 in consultation with the New Jersey Motor Vehicle Commission,
6 establish and maintain a database of participants in the Post-
7 Traumatic Stress Disorder Police Awareness Program, established
8 pursuant to section 1 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), and make the database accessible to each
10 municipal police department and force and to the New Jersey Motor
11 Vehicle Commission.

12 b. The superintendent shall cooperate with and assist all
13 municipal police departments and other agencies in developing
14 training, policies, and procedures to assist law enforcement officers
15 in approaching and interacting with drivers who have been
16 diagnosed with post-traumatic stress disorder.

17
18 5. The chief law enforcement officer of a municipality may
19 charge a fee for the certification forms and decals provided pursuant
20 to P.L. , c. (C.) (pending before the Legislature as this bill).
21 The fee charged shall not exceed the actual costs incurred by the
22 municipality in providing certification forms and decals and in
23 administering the program authorized pursuant to P.L. ,
24 c. (C.) (pending before the Legislature as this bill).

25
26 6. The Superintendent of the Division of State Police shall, in
27 consultation with the Department of Health and the New Jersey
28 Motor Vehicle Commission, promulgate pursuant to the provisions
29 of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
30 1 et seq.), rules and regulations for the administration of the
31 program to effectuate the purposes of P.L. , c. (C.) (pending
32 before the Legislature as this bill).

33
34 7. This act shall take effect immediately.

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37 STATEMENT

38

39 This bill establishes a Post-Traumatic Stress Disorder Police
40 Awareness Program (program) that allows licensed drivers to self-
41 identify as having been diagnosed with post-traumatic stress
42 disorder. The Superintendent of the Division of State Police
43 (superintendent) is required to administer the program and is
44 required to adopt rules and regulations, in consultation with the
45 Department of Health and the New Jersey Motor Vehicle
46 Commission (MVC), for the administration of the program.

47 Under the bill, participation in the program is voluntary and
48 allows licensed drivers to submit a certification form, designed by

1 the superintendent, to a local police department. The form is to
2 certify that the driver has been diagnosed with post-traumatic stress
3 disorder by the medical professional, and is required to be signed by
4 the driver and a medical professional capable of diagnosing post-
5 traumatic stress disorder. Upon receiving the certification form, the
6 local police department is required to issue a decal to the driver.
7 The driver is required to affix the decal to the driver's motor
8 vehicle in a conspicuous place, as prescribed by the superintendent.

9 Under the bill, whenever any law enforcement officer stops a
10 motor vehicle displaying a decal, the officer is required to take
11 notice that the driver of the motor vehicle has been diagnosed with
12 post-traumatic stress disorder, and is required to appropriately
13 proceed with the motor vehicle stop.

14 The bill requires the superintendent to conspicuously publish a
15 copy of the certification form on the division's Internet website and
16 requires the chief law enforcement officer of any municipality to
17 make copies of the certification form available upon request. The
18 bill further allows a municipality to publish a copy of the form on
19 the municipality's Internet website. The bill allows a municipality
20 to charge a fee related to the administration of the program.

21 Under the bill, the superintendent is required, in consultation
22 with the MVC, to establish and maintain a database of participants
23 in the program, and make the database accessible to each municipal
24 police department and to the MVC. The superintendent is also
25 required to cooperate with and assist municipal police departments
26 and other agencies in developing training, policies, and procedures
27 to assist law enforcement officers in approaching and interacting
28 with drivers who have been diagnosed with post-traumatic stress
29 disorder.