

ASSEMBLY, No. 2914

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
Assemblyman JAY WEBBER
District 26 (Essex, Morris and Passaic)

SYNOPSIS

Requires MVC to accept death certificate as proof of name change.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning motor vehicle documents and amending
2 P.L.1987, c.20.

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

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7 1. Section 2 of P.L.1987, c.20 (C.39:3-9a) is amended to read
8 as follows:

9 2. a. Each driver's license issued pursuant to R.S.39:3-10 shall
10 have the legal name of the licensee endorsed thereon in **his** the
11 licensee's own handwriting. For purposes of this section, legal
12 name shall mean the name recorded on a birth certificate unless
13 otherwise changed by marriage, divorce, or order of court. The
14 **director** chief administrator may require that only the legal name
15 be recorded on the driver's license. A person who has been issued a
16 driver's license pursuant to R.S.39:3-10 whose name is changed due
17 to marriage, divorce, or by order of court shall notify the **director**
18 chief administrator of the change in name within two weeks after
19 the change is made.

20 A person who fails to notify the **Director of the Division of**
21 **Motor Vehicles** chief administrator of a change in name as
22 required in this section shall be subject to a fine. A person who is
23 fined under this section for a violation of this section shall not be
24 subject to a surcharge under the **New Jersey Merit Rating Plan**
25 Motor Vehicle Violations Surcharge System as provided in section
26 6 of P.L.1983, c.65 (C.17:29A-35).

27 For the purposes of this section, a digitized signature image shall
28 constitute a licensee's signature in **his** the licensee's own
29 handwriting. A digitized signature image is an electronic
30 representation of a person's written signature.

31 b. Notwithstanding the provisions of subsection a. of this
32 section, the chief administrator shall permit a licensee to record the
33 licensee's birth name on the licensee's driver's license upon
34 submission of the licensee's most recent marriage certificate and
35 the death certificate of the licensee's spouse. The licensee shall
36 also be required to attest, in a manner and form determined by the
37 chief administrator, that the licensee has not been convicted of a
38 crime, does not have any criminal charges pending, and is not
39 seeking the change of name for purposes of avoiding or obstructing
40 criminal prosecution, avoiding creditors, or for perpetrating a civil
41 or criminal fraud.

42 For the purposes of this subsection, "birth name" means the
43 name appearing on a person's birth certificate.

44 (cf: P.L.1999, c.28, s.1)

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 2. This act shall take effect immediately.

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STATEMENT

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6 This bill allows the holder of a driver’s license whose spouse has
7 died to have the name listed on the driver’s license revert to the
8 licensee’s birth name. The bill requires the New Jersey Motor
9 Vehicle Commission (MVC) to accept a licensee’s most recent
10 marriage certificate and the licensee’s spouse’s death certificate as
11 sufficient proof to allow the licensee to display the licensee’s birth
12 name on the driver’s license. The licensee is also required to attest
13 that the licensee: has not been convicted of a crime; has no criminal
14 charges pending; and is not seeking the change of name to avoid or
15 obstruct criminal prosecution, to avoid creditors, or for perpetrating
16 a civil or criminal fraud.