

ASSEMBLY, No. 3950

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 13, 2020

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Makes employer use of tracking device in vehicle operated by employee crime of fourth degree in certain situations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/19/2020)

1 **AN ACT** prohibiting certain employer use of tracking devices and
2 supplementing Title 2C of the New Jersey Statutes.

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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. a. As used in this act:

8 "Electronic communications device" means any device that uses
9 electronic signals to create, transmit, and receive information,
10 including a computer, telephone, personal digital assistant, or other
11 similar device.

12 "Employer" means an employer or employer's agent,
13 representative, or designee. The term "employer" does not include
14 the Department of Corrections, State Parole Board, county
15 corrections departments, or any State or local law enforcement
16 agency.

17 "Tracking device" means an electronic or mechanical device
18 which permits the tracking of the movement of a vehicle, person, or
19 device.

20 b. It shall be a crime of the fourth degree for an employer to
21 make use of a tracking device or electronic communications device
22 in a vehicle used by an employee that is not provided by the
23 employer, or, in the case of a vehicle provided by an employer for an
24 employee's use, to make use of a tracking device or electronic
25 communications device without obtaining the written consent of the
26 employee.

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28 2. This act shall take effect on the 90th day next following the
29 date of enactment.

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STATEMENT

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34 This bill requires an employer to obtain an employee's consent
35 before using a tracking device or electronic communications device
36 on a vehicle used by the employee that is provided by the employer.
37 Additionally, the bill prohibits the use of a tracking device or
38 electronic communications device on a vehicle used by an employee
39 that is not provided by the employer.

40 This bill provides that use of a tracking device in an employee's
41 vehicle, or use of a tracking device in a vehicle provided by an
42 employer without obtaining the written consent of the employee, is a
43 crime of the fourth degree. A crime of the fourth degree is punishable
44 by a term of imprisonment of up to 18 months or a fine of up to
45 \$10,000, or both.