

ASSEMBLY, No. 4326

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 29, 2020

Sponsored by:

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Permits certain drivers' schools to conduct road tests.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the licensing of certain drivers, amending
 2 P.L.1951, c.216, and supplementing Title 39 of the Revised
 3 Statutes.

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

7
 8 1. Section 4 of P.L.1951, c.216 (C.39:12-4) is amended to read
 9 as follows:

10 4. The **【director may】** chief administrator shall, pursuant to the
 11 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
 12 seq.), make such rules as 【he】 the chief administrator deems
 13 reasonable for the implementation of P.L.1951, c.216 (C.39:12-1 et
 14 seq.) and P.L. , c. (C.) (pending before the Legislature as
 15 this bill) for the conduct of drivers' schools, including the standards
 16 for the provision of the road test, required pursuant to R.S.39:3-10,
 17 that is conducted by an examiner that is licensed to operate a
 18 driver's school.
 19 (cf: P.L.1951, c.216, s.4)

20
 21 2. (New section) a. The New Jersey Motor Vehicle
 22 Commission may designate and appoint competent examiners, who
 23 shall be licensed to operate drivers' schools, pursuant to the
 24 provisions of P.L.1951, c.216 (C.39:12-1 et seq.), to conduct the
 25 road test required to obtain a driver's license, pursuant to R.S.39:3-
 26 10.

27 b. Upon the completion of a road test, the examiner shall
 28 provide the applicant sitting for the road test with documentation, in
 29 accordance with procedures prescribed by the Chief Administrator
 30 of the New Jersey Motor Vehicle Commission, certifying that the
 31 applicant successfully or unsuccessfully completed the road test.

32 c. Any applicant, who has successfully completed a road test
 33 conducted by an examiner licensed to operate a driver's school,
 34 shall provide the document certifying successful completion of the
 35 road test, in addition to all other documents required pursuant to
 36 law, to a commission agency or regional service center to obtain a
 37 probationary driver's license.

38 Any applicant, who has unsuccessfully completed a road test
 39 conducted by an examiner licensed to operate a driver's school shall
 40 be required to wait a period of 14 days prior to retaking the road
 41 test.

42 d. Within 30 days of the implementation of P.L. , c.
 43 (C.) (pending before the Legislature as this bill), and
 44 notwithstanding the provisions of the "Administrative Procedure
 45 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the chief

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 administrator, shall, immediately upon filing proper notice with the
2 Office of Administrative Law, adopt the rules and regulations
3 prepared by the commission pursuant to 4 of P.L.1951, c.216
4 (C.39:12-4) and any other rules and regulations necessary to
5 establish standards for the provision of the road test, required
6 pursuant to R.S.39:3-10, that is conducted by an examiner that is
7 licensed to operate a driver's school.

8 The rules and regulations adopted pursuant to this subsection
9 shall be in effect for a period not to exceed one year after the date
10 of the filing. Any rules and regulations shall thereafter be adopted,
11 amended, or readopted by the commission in accordance with the
12 requirements of the "Administrative Procedure Act," P.L.1968,
13 c.410 (C.52:14B-1 et seq.).

14
15 3. This act shall take effect immediately.
16
17

18 STATEMENT

19
20 This bill permits the New Jersey Motor Vehicle Commission
21 (MVC) to designate and appoint examiners that are licensed to
22 operate drivers' schools to conduct the road test required to obtain a
23 driver's license.

24 The bill requires the examiner, upon the completion of a road
25 test, to provide the applicant sitting for the road test with
26 documentation, in accordance with procedures prescribed by the
27 MVC, certifying successful or unsuccessful completion of the road
28 test. Any applicant, who has successfully completed a road test
29 conducted by an examiner licensed to operate a driver's school, is
30 to provide the document certifying successful completion of the
31 road test, in addition to all other documents required pursuant to
32 law, to an MVC agency or regional service center to obtain a
33 probationary driver's license. Any applicant, who has
34 unsuccessfully completed a road test conducted by an examiner
35 licensed to operate a driving school, is required to wait a period of
36 14 days prior to retaking the road test.

37 Under the bill, the Chief Administrator of the MVC is required
38 to promulgate rules for the conduct of drivers' schools, including
39 the standards for the provision of the road tests that are conducted
40 by an examiner licensed to operate a driver's school within 30 days
41 of the implementation of the bill. The temporary rules and
42 regulations adopted under the bill are to be in effect for a period not
43 to exceed one year after the date of the filing with Office of
44 Administrative Law. Any rules and regulations adopted, amended,
45 or readopted thereafter by the MVC are to be in accordance with the
46 requirements of the "Administrative Procedure Act."