

ASSEMBLY, No. 5289

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2021

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Clarifies extension of driver's license, identification card, and motor vehicle registration expiration dates for certain military personnel.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/25/2021)

1 **AN ACT** concerning the expiration dates for certain motor vehicle
2 documents, amending various parts of statutory law, and
3 supplementing 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. R.S.39:3-4 is amended to read as follows:

9 39:3-4. Except as hereinafter provided, every resident of this
10 State and every nonresident whose automobile or motorcycle shall
11 be driven in this State shall, before using the vehicle on the public
12 highways, register the same, and an automobile or motorcycle shall
13 not be driven unless so registered.

14 Registration shall be made in the following manner: An
15 application in writing, signed by the applicant or by an agent or
16 officer, in case the applicant is a corporation, shall be made to the
17 chief administrator or the chief administrator's agent, on forms
18 prepared and supplied by the chief administrator, containing the
19 name, street address of the residence or the business of the owner,
20 mailing address, if different from the street address of the owner's
21 residence or business, and age of the owner, together with a
22 description of the character of the automobile or motorcycle,
23 including the name of the maker and the vehicle identification
24 number, or the manufacturer's number or the number assigned by
25 the chief administrator if the vehicle does not have a vehicle
26 identification number, and any other statement that may be required
27 by the chief administrator. A post office box shall appear on the
28 application only as part of a mailing address that is submitted by the
29 owner, agent or officer, as the case may be, in addition to the street
30 address of the applicant's residence or business; provided, however,
31 the chief administrator, upon application, shall permit a person who
32 was a victim of a violation of section 1 of P.L.1992, c.209
33 (C.2C:12-10), N.J.S.2C:14-2, or P.L.1991, c.261 (C.2C:25-17 et
34 seq.), or who the chief administrator otherwise determines to have
35 good cause, to use as a mailing address a post office box, an address
36 other than the applicant's address or other contact point. An owner
37 whose last address appears on the records of the commission as a
38 post office box shall change the owner's address on the owner's
39 application for renewal to the street address of the owner's
40 residence or business and, if different from the owner's street
41 address, the owner's mailing address unless the chief administrator
42 has determined, pursuant to this section, that the owner may use a
43 post office box, an address other than the owner's address or other
44 contact point as a mailing address. The application shall contain the
45 name of the insurer of the vehicle and the policy number. If the

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 vehicle is a leased motor vehicle, the application shall make note of
2 that fact and shall include along with the name and street address of
3 the lessor the name, street address, and driver license number of the
4 lessee.

5 Thereupon the chief administrator shall have the power to grant a
6 registration certificate to the owner of any motor vehicle, if over 17
7 years of age, application for the registration having been properly
8 made and the fee therefor paid, and the vehicle being of a type that
9 complies with the requirements of this Title. The form and contents
10 of the registration certificate to be issued shall be determined by the
11 chief administrator.

12 If the vehicle is a leased motor vehicle, the registration
13 certificate shall, in addition to containing the name and street
14 address of the lessor, identify the vehicle as a leased motor vehicle.

15 The chief administrator shall maintain a record of all registration
16 certificates issued, and of the contents thereof.

17 Every registration shall expire and the registration certificate
18 thereof become void on the registrant's numerical calendar day of
19 birth in the 12th calendar month following the calendar month in
20 which the certificate was issued; except that the registration shall
21 expire on the last day of the 12th calendar month following the
22 calendar month in which the certificate was issued if the numerical
23 calendar day of the registrant's birth does not correspond to a
24 numerical calendar day in that month or if the vehicle is a leased
25 motor vehicle, unless the registrant is an active duty member of any
26 branch of the Armed Forces of the United States, or a person in the
27 member's immediate family, in which case the registration for a
28 passenger automobile shall remain valid beyond the expiration date, in
29 accordance with the provisions of section 1 of P.L.2015, c.299
30 (C.39:3-11.5a).

31 The chief administrator may, at the chief administrator's
32 discretion, require registrations which shall expire, and issue
33 certificates thereof which shall become void, on a date fixed by
34 him, which date shall not be sooner than three months nor later than
35 26 months after the date of issuance of the certificates, and the fees
36 for the registrations, including any other fees or charges collected in
37 connection with the registration fee, shall be fixed by the chief
38 administrator in amounts proportionately less or greater than the
39 fees established by law. The chief administrator may fix the
40 expiration date for registration certificates at a date other than 12
41 months if the chief administrator determines that the change is
42 necessary, appropriate or convenient in order to aid in
43 implementing the vehicle inspection requirements of chapter 8 of
44 Title 39 or for other good cause. The chief administrator may, for
45 good cause extend a registration beyond the expiration date that
46 appears upon the registration certificate for periods not to exceed 12
47 additional months. The chief administrator may extend the
48 expiration date of a registration without payment of a proportionate

1 fee when the chief administrator determines that the extension is
2 necessary for good cause. If any registration is so extended, the
3 owner shall pay upon renewal the full registration fee for the period
4 fixed by the chief administrator as if no extension had been granted.

5 Notwithstanding any other provision of law to the contrary,
6 every registration for new passenger automobiles shall expire and
7 the registration certificate shall become void on the registrant's
8 numerical calendar day of birth in the 48th calendar month
9 following the calendar month in which the certificate was initially
10 issued; except that the registration shall expire on the last day of the
11 48th calendar month following the calendar month in which the
12 certificate was initially issued if the numerical calendar day of the
13 registrant's birth does not correspond to a numerical calendar day in
14 that month, unless the registrant is an active duty member of any
15 branch of the Armed Forces of the United States, or a person in the
16 member's immediate family, in which case the registration shall
17 remain valid beyond the expiration date, in accordance with the
18 provisions of section 1 of P.L.2015, c.299 (C.39:3-11.5a).

19 On and after February 1, 2005, the provisions of this paragraph
20 shall not apply to new passenger automobiles purchased by a rental
21 company for use as rental passenger automobiles. As used in this
22 paragraph, "rental company" means a person engaged in the
23 business of renting motor vehicles; and "rental passenger
24 automobile" means a passenger automobile that is rented without a
25 driver and used in the transportation of persons or property other
26 than commercial freight.

27 If the new passenger automobile being registered is a leased
28 passenger automobile, the registration shall expire in accordance
29 with the term of the lease. If the term of the lease extends beyond
30 one or more 12-month periods by one or more months, the
31 registration period shall be based upon the full year into which one
32 or more of the months extend; provided, however, the registration
33 period for a leased automobile shall not exceed 48 months.

34 Following the 48-month period of the initial registration of a new
35 passenger automobile, the subsequent registration shall expire, and
36 the registration certificate shall become void, on the registrant's
37 numerical calendar day of birth in the 12th calendar month
38 following the calendar month in which the certificate was next
39 issued; except that the registration shall expire on the last day of the
40 12th calendar month following the calendar month in which the
41 certificate was next issued if the numerical calendar day of the
42 registrant's birth does not correspond to a numerical calendar day in
43 that month, unless the registrant is an active duty member of any
44 branch of the Armed Forces of the United States, or a person in the
45 member's immediate family, in which case the registration shall
46 remain valid beyond the expiration date, in accordance with the
47 provisions of section 1 of P.L.2015, c.299 (C.39:3-11.5a).

1 All motorcycles for which registrations have been issued prior to
2 the effective date of P.L.1989, c.167 and which are scheduled to
3 expire between November 1 and March 31 shall, upon renewal, be
4 issued registrations by the chief administrator which shall expire on
5 a date fixed by him, but in no case shall that expiration date be
6 earlier than April 30 nor later than October 31. The fees for the
7 renewal of the motorcycle registrations authorized under this
8 paragraph shall be fixed by the chief administrator in an amount
9 proportionately less or greater than the fee established by R.S.39:3-
10 21.

11 Application forms for all renewals of registrations for passenger
12 automobiles shall be sent to the last addresses of owners of motor
13 vehicles and motorcycles, as they appear on the records of the
14 commission.

15 A person owning or having control over any unregistered vehicle
16 shall not permit the same to be parked or to stand on a public
17 highway.

18 Any police officer is authorized to remove any unregistered
19 vehicle from the public highway to a storage space or garage, and
20 the expense involved in the removal and storing of the vehicle shall
21 be borne by the owner of the vehicle, except that the expense shall
22 be borne by the lessee of a leased vehicle.

23 Any person violating the provisions of this section shall be
24 subject to a fine not exceeding \$100, except that for the
25 misstatement of any fact in the application required to be made to
26 the chief administrator, the person making the statement or omitting
27 the statement that the motor vehicle is to be used as a leased motor
28 vehicle when that is the case shall be subject to the penalties
29 provided in R.S.39:3-37.

30 The chief administrator may extend the expiration date of a
31 registration certificate without payment of a proportionate fee when
32 the chief administrator determines that the extension is necessary,
33 appropriate or convenient to the implementation of vehicle
34 inspection requirements. If any registration certificate is so
35 extended, the owner shall pay upon renewal the full registration fee
36 for the period fixed by the chief administrator as if no extension had
37 been granted.

38 The New Jersey Motor Vehicle Commission shall make a
39 reasonable effort to notify any lessor whose name and address is on
40 file with the commission, or any other lessor the commission may
41 determine it is necessary to notify, of the requirements of this
42 amendatory act.

43 A lessor doing business in this State shall notify in writing the
44 lessee of a motor vehicle registered pursuant to this Title of any
45 change in its policies or procedures affecting the registration of the
46 motor vehicle.

47 (cf: P.L.2017, c.217, s.1)

1 2. R.S.39:3-10 is amended to read as follows:

2 39:3-10. A person shall not drive a motor vehicle on a public
3 highway in this State unless the person is under supervision while
4 participating in a behind-the-wheel driving course pursuant to
5 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
6 validated permit, or a probationary or basic driver's license issued to
7 that person in accordance with this article.

8 A person under 18 years of age shall not be issued a basic license
9 to drive motor vehicles, and a person shall not be issued a validated
10 permit, including a validated examination permit, until the applicant
11 has passed a satisfactory examination and other requirements as to
12 the applicant's ability as an operator. The examination shall
13 include: a test of the applicant's vision; the applicant's ability to
14 understand traffic control devices; the applicant's knowledge of safe
15 driving practices, including the dangers of driving a vehicle in an
16 aggressive manner, which shall include, but not be limited to,
17 unexpectedly altering the speed of a vehicle, making improper or
18 erratic traffic lane changes, disregarding traffic control devices,
19 failing to yield the right of way, and following another vehicle too
20 closely; the applicant's knowledge of operating a motor vehicle in a
21 manner that safely shares the roadway with pedestrians, cyclists,
22 skaters, riders of motorized-scooters, and other non-motorized
23 vehicles, which shall include, but not be limited to, passing a cyclist
24 on the roadway, recognizing bicycle lanes, navigating intersections
25 with pedestrians and cyclists, and exiting a vehicle without
26 endangering pedestrians and cyclists; the applicant's knowledge of
27 the effects that ingestion of alcohol or drugs has on a person's
28 ability to operate a motor vehicle; the applicant's knowledge of the
29 dangers of carbon monoxide poisoning from motor vehicles and
30 techniques for the safe operation and proper maintenance of a motor
31 vehicle; the applicant's knowledge of portions of the mechanism of
32 motor vehicles as is necessary to insure the safe operation of a
33 vehicle of the kind or kinds indicated by the applicant; and the
34 applicant's knowledge of the laws and ordinary usages of the road.
35 The examination shall be made available in English and each of the
36 three languages, other than English, most commonly spoken in the
37 State, as determined by the chief administrator. The chief
38 administrator shall periodically, and at least every five years, verify
39 the three languages, other than English, most commonly spoken in
40 the State.

41 A person shall not sit for an examination for any permit without
42 exhibiting photo identification deemed acceptable by the
43 commission, unless that person is a high school student
44 participating in a course of automobile driving education approved
45 by the State Department of Education and conducted in a public,
46 parochial, or private school of this State, pursuant to section 1 of
47 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
48 written law knowledge examination for any person 18 years of age

1 or older possessing a valid driver's license issued by any other state,
2 the District of Columbia, or the United States Territories of
3 American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or
4 the Virgin Islands. The commission shall be required to provide
5 that person with a booklet that highlights those motor vehicle laws
6 unique to New Jersey. A road test shall be required for a
7 probationary license and serve as a demonstration of the applicant's
8 ability to operate a vehicle of the class designated. During the road
9 test, an applicant may use a rear visibility system, parking sensors,
10 or other technology installed on the motor vehicle that enables the
11 applicant to view areas directly behind the vehicle or alerts the
12 applicant of obstacles while parking.

13 A person shall not sit for a road test unless that person exhibits
14 photo identification deemed acceptable by the commission. A high
15 school student who has completed a course of behind-the-wheel
16 automobile driving education approved by the State Department of
17 Education and conducted in a public, parochial, or private school of
18 this State, who has been issued a special learner's permit pursuant to
19 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,
20 shall not be required to exhibit photo identification in order to sit
21 for a road test. The commission may waive the road test for any
22 person 18 years of age or older possessing a valid driver's license
23 issued by any other state, the District of Columbia, or the United
24 States Territories of American Samoa, Guam, Northern Mariana
25 Islands, Puerto Rico, or the Virgin Islands. The road test shall be
26 given on public streets, where practicable and feasible, but may be
27 preceded by an off-street screening process to assess basic skills.
28 The commission shall approve locations for the road test which
29 pose no more than a minimal risk of injury to the applicant, the
30 examiner, and other motorists. New locations for the road test shall
31 not be approved unless the test can be given on public streets.

32 A person who successfully completes a road test for a
33 motorcycle license or a motorcycle endorsement when operating a
34 motorcycle or motorized scooter with an engine displacement of
35 less than 231 cubic centimeters shall be issued a motorcycle license
36 or endorsement restricting the person's operation of the vehicles to
37 any motorcycle with an engine displacement of 500 cubic
38 centimeters or less. A person who successfully completes a road
39 test for a motorcycle license or motorcycle endorsement when
40 operating a motorcycle with an engine displacement of 231 or more
41 cubic centimeters shall be issued a motorcycle license or
42 endorsement without any restriction as to engine displacement.
43 Any person who successfully completes an approved motorcycle
44 safety education course established pursuant to the provisions of
45 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
46 motorcycle license or endorsement without restriction as to engine
47 displacement.

1 A person issued a motorcycle license pursuant to this section
2 may be issued a standard motorcycle license or a REAL ID
3 motorcycle license. The chief administrator shall require an
4 applicant for a standard motorcycle license to provide as proof of
5 the applicant's identity, age, and residence primary and secondary
6 documents, with which the chief administrator shall attribute point
7 values in accordance with the point based identification verification
8 program established pursuant to section 28 of P.L.2003, c.13
9 (C.39:2A-28). The point total required to prove the identity of an
10 applicant for the standard motorcycle license shall be the same for
11 every applicant, regardless of immigration status. In the event that
12 the commission changes the point total threshold, the requirement
13 that every applicant reach the same point total threshold shall
14 remain in effect.

15 In addition to requiring the person to submit satisfactory proof of
16 identity and age, the commission shall require the person to
17 provide:

18 (1) as a condition for obtaining a standard motorcycle license,
19 proof of the person's social security number and one document
20 providing satisfactory proof that the person is a New Jersey
21 resident.

22 If the person does not have a social security number, the person
23 shall either:

24 (a) provide satisfactory proof of an Individual Taxpayer
25 Identification Number; or

26 (b) indicate, in a manner prescribed by the commission and
27 consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o
28 et al.), that the person is not eligible to receive a social security
29 number; or

30 (2) as a condition for obtaining a REAL ID motorcycle license:
31 two documents providing satisfactory proof that the person is a New
32 Jersey resident; proof of the person's social security number or
33 verification of ineligibility for a social security number in
34 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
35 acts amendatory or supplementary thereto, and any federal
36 regulations adopted thereunder; and proof that the person's presence
37 in the United States is authorized under federal law.

38 A standard motorcycle license shall indicate that the license shall
39 not be accepted as identification for an official purpose, as that term
40 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any
41 acts amendatory or supplementary thereto, and any federal
42 regulations adopted thereunder.

43 The commission shall issue a standard basic driver's license or a
44 REAL ID basic driver's license to operate a motor vehicle other
45 than a motorcycle to a person over 18 years of age who previously
46 has not been licensed to drive a motor vehicle in this State or
47 another jurisdiction only if that person has: (1) operated a passenger
48 automobile in compliance with the requirements of this Title for not

1 less than one year, not including any period of suspension or
2 postponement, from the date of issuance of a probationary license
3 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
4 assessed more than two motor vehicle points; (3) not been convicted
5 in the previous year for a violation of R.S.39:4-50, section 2 of
6 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
7 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,
8 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
9 motor vehicle-related violation the commission determines to be
10 significant and applicable pursuant to regulation; and (4) passed an
11 examination of the applicant's ability to operate a motor vehicle
12 pursuant to this section.

13 The commission shall expand the driver's license examination by
14 20 percent. The additional questions to be added shall consist solely
15 of questions developed in conjunction with the Department of
16 Health concerning the use of alcohol or drugs as related to highway
17 safety. The commission shall develop, in conjunction with the
18 Department of Health, supplements to the driver's manual which
19 shall include information necessary to answer any question on the
20 driver's license examination concerning alcohol or drugs as related
21 to highway safety.

22 Up to 20 questions may be added to the examination on subjects
23 to be determined by the commission that are of particular relevance
24 to youthful drivers, including the importance of operating a motor
25 vehicle in a manner that safely shares the roadway with pedestrians,
26 cyclists, skaters, riders of motorized-scooters, and other non-
27 motorized vehicles, which shall include, but not be limited to,
28 passing a cyclist on the roadway, recognizing bicycle lanes,
29 navigating intersections with pedestrians and cyclists, and exiting a
30 vehicle without endangering pedestrians and cyclists, and the
31 dangers of driving a vehicle in an aggressive manner, which shall
32 include, but not be limited to, unexpectedly altering the speed of a
33 vehicle, making improper or erratic traffic lane changes,
34 disregarding traffic control devices, failing to yield the right of way,
35 and following another vehicle too closely, after consultation with
36 the Director of the Division of Highway Traffic Safety in the
37 Department of Law and Public Safety.

38 The commission shall expand the driver's license examination to
39 include a question asking whether the applicant is aware of the
40 provisions of the "Revised Uniform Anatomical Gift Act,"
41 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on
42 the driver's license the intention to make a donation of body organs
43 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

44 The commission shall expand the driver's license examination to
45 include a question asking whether the applicant is aware of the
46 dangers of failing to comply with this State's motor vehicle traffic
47 laws and the "STOP for Nikhil Safety Pledge" set forth in
48 subsection e. of R.S.39:3-41.

1 The commission shall expand the driver's license examination to
2 include questions concerning the dangers of carbon monoxide
3 poisoning from motor vehicles and techniques for the safe operation
4 and proper maintenance of a motor vehicle.

5 Any person applying for a driver's license to operate a motor
6 vehicle or motorized bicycle in this State shall surrender to the
7 commission any current driver's license issued to the applicant by
8 another state or jurisdiction upon the applicant's receipt of a driver's
9 license for this State. The commission shall refuse to issue a
10 driver's license if the applicant fails to comply with this provision.
11 An applicant for a permit or license who is under 18 years of age,
12 and who holds a permit or license for a passenger automobile issued
13 by another state or country that is valid or has expired within a time
14 period designated by the commission, shall be subject to the permit
15 and license requirements and penalties applicable to State permit
16 and license applicants who are of the same age; except that if the
17 other state or country has permit or license standards substantially
18 similar to those of this State, the credentials of the other state or
19 country shall be acceptable.

20 The commission shall create classified licensing of drivers
21 covering the following classifications:

22 a. Motorcycles, except that for the purposes of this section,
23 motorcycle shall not include any three-wheeled motor vehicle
24 equipped with a single cab with glazing enclosing the occupant,
25 seats similar to those of a passenger vehicle or truck, seat belts and
26 automotive steering or any vehicle defined as a motorcycle pursuant
27 to R.S.39:1-1 having a motor with a maximum piston displacement
28 that is less than 50 cubic centimeters or a motor that is rated at no
29 more than 1.5 brake horsepower with a maximum speed of no more
30 than 35 miles per hour on a flat surface.

31 b. Omnibuses as classified by R.S.39:3-10.1 and school buses
32 classified under N.J.S.18A:39-1 et seq.

33 c. (Deleted by amendment, P.L.1999, c.28)

34 d. All motor vehicles not included in classifications a. and b. A
35 license issued pursuant to this classification d. shall be referred to
36 as the "basic driver's license" and may be issued as a standard basic
37 driver's license or a REAL ID basic driver's license.

38 Every applicant for a license under classification b. shall be a
39 holder of a basic driver's license. Any issuance of a license under
40 classification b. shall be by endorsement on the person's basic
41 driver's license.

42 A driver's license for motorcycles may be issued separately, but
43 if issued to the holder of a basic driver's license, it shall be by
44 endorsement on the person's basic driver's license. The holder of a
45 basic driver's license or a separately issued motorcycle license shall
46 be authorized to operate a motorcycle having a motor with a
47 maximum piston displacement that is less than 50 cubic centimeters

1 or a motor that is rated at no more than 1.5 brake horsepower with a
2 maximum speed no more than 35 miles per hour on a flat surface.

3 The commission, upon payment of the lawful fee and after it or a
4 person authorized by it has examined the applicant and is satisfied
5 of the applicant's ability as an operator, may, in its discretion, issue
6 a license to the applicant to drive a motor vehicle. The license shall
7 authorize the person to drive any registered vehicle, of the kind or
8 kinds indicated.

9 The license shall expire, except as provided by section 1 of
10 P.L.2015, c.299 (C.39:3-11.5a) or as otherwise provided, during the
11 fourth calendar year following the date in which the license was
12 issued and on the same calendar day as the person's date of birth. If
13 the person's date of birth does not correspond to a calendar day of
14 the fourth calendar year, the license shall expire on the last day of
15 the person's birth month.

16 The commission may, at its discretion and for good cause shown,
17 issue licenses that expire on a date fixed by it. If the commission
18 issues a REAL ID basic driver's license or REAL ID motorcycle
19 license to a person who has demonstrated authorization to be
20 present in the United States for a period of time shorter than the
21 standard period of the license, the commission shall fix the
22 expiration date of the license at a date based on the period in which
23 the person is authorized to be present in the United States under
24 federal immigration laws. The commission may renew the person's
25 REAL ID basic driver's license or REAL ID motorcycle license
26 only if it is demonstrated that the person's continued presence in the
27 United States is authorized under federal law. The fee for licenses
28 with expiration dates fixed by the commission shall be fixed by the
29 commission in amounts proportionately less or greater than the fee
30 herein established.

31 The required fee for a license for the license period shall be as
32 follows, subject to adjustment pursuant to section 16 of P.L.2007,
33 c.335 (C.39:2A-36.1):

34 Standard motorcycle license or endorsement: \$18.

35 REAL ID motorcycle license: \$29.

36 Omnibus or school bus endorsement: \$18.

37 Standard basic driver's license: \$18.

38 REAL ID basic driver's license: \$29.

39 The commission shall waive the payment of fees for issuance of
40 omnibus endorsements whenever an applicant establishes to the
41 commission's satisfaction that the applicant will use the omnibus
42 endorsement exclusively for operating omnibuses owned by a
43 nonprofit organization duly incorporated under Title 15 or 16 of the
44 Revised Statutes or Title 15A of the New Jersey Statutes.

45 The commission shall issue licenses for the following license
46 period on and after the first day of the calendar month immediately
47 preceding the commencement of the period, the licenses to be
48 effective immediately.

1 All applications for renewals of licenses shall be made in a
2 manner prescribed by the commission and in accordance with
3 procedures established by it.

4 The commission in its discretion may refuse to grant a permit or
5 license to drive motor vehicles to a person who is, in its estimation,
6 not a proper person to be granted a permit or license, but a defect of
7 the applicant shall not debar the applicant from receiving a permit
8 or license unless it can be shown by tests approved by the
9 commission that the defect incapacitates the applicant from safely
10 operating a motor vehicle.

11 A person issued a basic driver's license pursuant to this section
12 may be issued a standard basic driver's license or a REAL ID basic
13 driver's license. The chief administrator shall require an applicant
14 for a standard basic driver's license to provide as proof of the
15 applicant's identity, age, and residence primary and secondary
16 documents, with which the chief administrator shall attribute point
17 values in accordance with the point based identification verification
18 program established pursuant to section 28 of P.L.2003, c.13
19 (C.39:2A-28). The point total required to prove the identity of an
20 applicant for the standard basic driver's license shall be the same for
21 every applicant, regardless of immigration status. In the event that
22 the commission changes the point total threshold, the requirement
23 that every applicant reach the same point total threshold shall
24 remain in effect.

25 In addition to requiring an applicant for a driver's license to
26 submit satisfactory proof of identity and age, the commission also
27 shall require the applicant to provide:

28 (1) as a condition for obtaining a permit and standard basic
29 driver's license, proof of the person's social security number and
30 one document providing satisfactory proof that the applicant is a
31 New Jersey resident. If the person does not have a social security
32 number, the person shall either:

33 (a) provide satisfactory proof of an Individual Taxpayer
34 Identification Number; or

35 (b) indicate, in a manner prescribed by the commission and
36 consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o
37 et al.), that the person is not eligible to receive a social security
38 number; or

39 (2) as a condition for obtaining a REAL ID basic driver's
40 license: two documents providing satisfactory proof that the
41 applicant is a New Jersey resident; proof of the applicant's social
42 security number or verification of ineligibility for a social security
43 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
44 13, any acts amendatory or supplementary thereto, and any federal
45 regulations adopted thereunder; and proof that the applicant's
46 presence in the United States is authorized under federal law.

1 A standard basic driver's license shall indicate that the license
2 shall not be accepted as identification for an official purpose, as that
3 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,
4 any acts amendatory or supplementary thereto, and any federal
5 regulations adopted thereunder.

6 If the commission has reasonable cause to suspect that any
7 document presented by an applicant pursuant to this section is
8 altered, false, or otherwise invalid, the commission shall refuse to
9 grant the permit or license until the time when the document may be
10 verified by the issuing agency to the commission's satisfaction.

11 A person violating this section shall be subject to a fine not
12 exceeding \$500 or imprisonment in the county jail for not more
13 than 60 days, but if that person has never been licensed to drive in
14 this State or any other jurisdiction, the applicant shall be subject to
15 a fine of not less than \$200 and, in addition, the court shall issue an
16 order to the commission requiring the commission to refuse to issue
17 a license to operate a motor vehicle to the person for a period of not
18 less than 180 days. The penalties provided for by this paragraph
19 shall not be applicable in cases where failure to have actual
20 possession of the operator's license is due to an administrative or
21 technical error by the commission.

22 Nothing in this section shall be construed to alter or extend the
23 expiration of any license issued prior to the date this amendatory
24 and supplementary act becomes operative.

25 Any documents and personal information, including an
26 applicant's photograph, obtained by the commission from an
27 applicant for a standard basic driver's license or standard
28 motorcycle license shall be confidential, shall not be considered a
29 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
30 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
31 access to government records, and shall not be disclosed by the
32 commission for any purpose related to Title 8 of the United States
33 Code without the informed consent of the applicant, a warrant
34 signed by a State or federal judge, or a lawful court order or
35 subpoena; except that nothing in this section shall be construed to
36 prohibit, or in any way restrict, any action where such prohibition
37 or restriction would be contrary to federal law. When responding to
38 a warrant, court order, or subpoena, the commission may disclose
39 only those records or information specifically requested in the
40 warrant, court order, or subpoena.

41 Possession of a standard basic driver's license or standard
42 motorcycle license issued pursuant to this section shall not be
43 considered evidence of an individual's citizenship or immigration
44 status and shall not be used as a basis for an investigation, arrest,
45 citation, prosecution, or detention.

46 Information regarding an applicant's Individual Tax
47 Identification Number, social security number, or ineligibility to
48 receive a social security number obtained by the commission for the

1 issuance of a standard motorcycle license or standard basic driver's
2 license pursuant to this section, shall not be considered a
3 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
4 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
5 access to government records, and shall not be disclosed by the
6 commission except where: (1) required by section 11 of
7 P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant provides written
8 informed consent to the disclosure; (3) the requesting entity
9 presents a warrant signed by a State or federal judge, a lawful court
10 order, or a subpoena; (4) required by State or federal law, and to the
11 extent that the disclosure may be necessary to permit the State to
12 participate in the National Driver Register program, as set forth in
13 49 U.S.C. s.30301 et seq.; or (5) the disclosure is in connection with
14 an audit or investigation of identity fraud, driver's license fraud, or
15 non-driver identification card fraud.

16 As used in this section:

17 "Parking sensors" means proximity sensors which use either
18 electromagnetic or ultrasonic technology and are designed to alert
19 the driver to obstacles while parking.

20 "Rear visibility system" means devices or components installed
21 on a motor vehicle at the time of manufacture that allow a forward
22 facing driver to view a visual image of the area directly behind the
23 vehicle.

24 (cf: P.L.2019, c.271, s.8)

25
26 3. Section 1 of P.L.2015, c.299 (C.39:3-11.5a) is amended to
27 read as follows:

28 1. a. Notwithstanding the provisions of any law to the
29 contrary, any active duty member of any branch of the Armed
30 Forces of the United States, and any person in the member's
31 immediate family, may renew a driver's license, non-driver
32 identification card, or motor vehicle registration certificate during
33 the six months preceding the member's scheduled date of
34 deployment to a location outside of New Jersey.

35 b. The driver's license or non-driver identification card of any
36 active duty member of any branch of the Armed Forces of the
37 United States, and any person in the member's immediate family, or
38 the registration certificate of a motor vehicle registered to that
39 person, shall remain valid **【upon demobilization or return from**
40 **duty, for a period of no more than 90 days】** beyond the expiration
41 date until the earlier of the following dates: (1) 90 days after the
42 date for which active duty service is scheduled to end, as provided
43 on documentation issued by a branch of the Armed Forces of the
44 United States; or (2) 90 days after the person's return to the State.
45 The chief administrator shall determine the appropriate
46 documentation a person is required to possess for the driver's
47 license, non-driver identification card, or motor vehicle registration
48 to be deemed valid during this period.

1 c. A person renewing a driver's license, non-driver
2 identification card, or motor vehicle registration pursuant to this
3 section shall submit proof satisfactory to the chief administrator of
4 the member's deployment to a location outside of New Jersey.

5 d. As used in this act, "immediate family" means a spouse,
6 domestic partner, partner in a civil union, child, stepchild, or other
7 person under the legal guardianship of the active duty member of
8 the Armed Forces of the United States.

9 (cf: P.L.2015, c.299, s.1)

10
11 4. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read as
12 follows:

13 4. a. Except as provided in subsection b. of this section or in
14 section 1 of P.L.2015, c.299 (C.39:3-11.5a), each original
15 identification card authorized by section 2 of P.L.1980, c.47 (C.39:3-
16 29.3) shall, unless canceled earlier or otherwise provided, expire
17 during the fourth calendar year following its date of issuance and on
18 the same calendar day as the person's date of birth. If the date of birth
19 of the bearer of the identification card does not correspond to a
20 calendar day of the fourth calendar year, the identification card shall
21 expire on the last day of the birth month of the bearer of the card.

22 The identification card shall be renewable upon the request of the
23 bearer of the card, pursuant to terms of license renewal established by
24 the New Jersey Motor Vehicle Commission, and upon payment of a
25 fee as required by section 6 of P.L.1980, c.47 (C.39:3-29.7). An
26 identification card issued pursuant to P.L.1980, c.47 (C.39:3-29.2 et
27 seq.) to an applicant who is blind or who has a disability shall be valid
28 for the life of the holder unless canceled by the holder. Cards issued
29 prior to October 16, 1989 and valid upon the effective date of
30 P.L.1990, c.30 shall be valid for the life of the holder unless canceled
31 by the holder. Cards issued to persons with blindness or disabilities
32 between October 16, 1989 and the effective date of P.L.1990, c.30,
33 and which are valid on the effective date of P.L.1980, c.47 (C.39:3-
34 29.2 et seq.), shall be made valid for the life of the holder unless
35 canceled by the holder, upon presentation of proof that the person's
36 blindness or disability existed at the time of the original application.
37 The chief administrator is authorized to require periodic verification of
38 information included on any identification card issued for or valid for
39 the life of the holder. Nothing in this section shall be construed to
40 alter or change any expiration date on any New Jersey identification
41 card issued prior to the operative date of P.L.2001, c.391 (C.39:3-10f4
42 et al.) and any such identification card shall remain valid until its
43 expiration date.

44 As a condition for the renewal of an identification card, the chief
45 administrator shall provide that the photograph of a holder of an
46 identification card be updated, except that the chief administrator may
47 elect to use a stored photograph for two consecutive four-year renewal
48 periods. The chief administrator shall not use a stored photograph for

1 more than 12 years except as otherwise provided in this section. The
2 fee shall be \$18 for a standard identification card per renewal and \$29
3 for a REAL ID identification card per renewal, in addition to the
4 digitized photograph fee.

5 The holder of a standard identification card who is 65 years of age
6 or older shall not be required to update the person's identification card
7 photograph upon renewal and shall be eligible to use a stored
8 photograph for each standard identification card renewal.

9 b. If the chief administrator issues a REAL ID identification card
10 to a person who has demonstrated authorization to be present in the
11 United States for a period of time shorter than the standard periods of
12 identification cards, the chief administrator shall fix the expiration date
13 of the REAL ID identification card at a date based on the period in
14 which the person is authorized to be present in the United States under
15 federal immigration laws. The chief administrator may renew such
16 REAL ID identification card only if it is demonstrated that the person's
17 continued presence in the United States is authorized under federal
18 law.

19 (cf: P.L.2020, c.77, s.2)

20
21 5. (New section) Notwithstanding the provisions of the
22 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
23 seq.), to the contrary, the chief administrator may adopt,
24 immediately upon filing with the Office of Administrative Law,
25 rules and regulations as the chief administrator determines to be
26 necessary to effectuate the purposes of P.L. , c. (C.)
27 (pending before the Legislature as this bill), which rules and
28 regulations shall be effective for a period not to exceed 180 days
29 following the effective date of P.L. , c. (C.) (pending
30 before the Legislature as this bill) and may thereafter be amended,
31 adopted, or readopted by the chief administrator in accordance with
32 the requirements of the "Administrative Procedure Act,"
33 P.L.1968, c.410 (C.52:14B-1 et seq.).

34
35 6. This act shall take effect immediately.

36 37 38 STATEMENT

39
40 This bill clarifies that the driver's license, non-driver
41 identification card, or motor vehicle registration certificate of any
42 active duty member of the Armed Forces of the United States, and
43 any person in the member's immediate family, is to remain valid
44 beyond the expiration date until the earlier of the following dates:
45 (1) 90 days after the date for which active duty service is scheduled
46 to end, as provided on documentation issued by a branch of the
47 Armed Forces of the United States; or (2) 90 days after the person's
48 return to the State.

1 The bill also permits the Chief Administrator of the New Jersey
2 Motor Vehicle Commission to adopt temporary rules and
3 regulations as the chief administrator determines to be necessary to
4 effectuate the purposes of the bill, and 180 days thereafter, amend,
5 adopt, or readopt the rules and regulations in accordance with the
6 requirements of the "Administrative Procedure Act."