

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 741

**STATE OF NEW JERSEY
219th LEGISLATURE**

DATED: DECEMBER 16, 2021

SUMMARY

- Synopsis:** Permits person diagnosed with autism or communication disability to voluntarily make notation on driver’s license, identification card, and in MVC registry; establishes program to train law enforcement officers in interactions with persons with autism or communication disabilities.
- Type of Impact:** Annual increased State and local costs.
- Agencies Affected:** Motor Vehicle Commission, Office of Information Technology, Department of Law and Public Safety; local law enforcement agencies

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that the bill will result in indeterminate initial development costs and ongoing administrative expenditures for the State for both the driver’s license designation and the law enforcement training program. The magnitude of any State cost increase will depend on implementation decisions made by the New Jersey Motor Vehicle Commission (MVC) and the Department of Law and Public Safety (LPS), which the OLS is unable to anticipate.
- It is not known what type of changes will be made to licenses or the cost to make those changes; however, programming or design changes of this type can largely be completed with the assistance of the Office of Information Technology (OIT), and the change orders are expected to be comparable to other change orders that the MVC has issued to its vendors in the past for license alterations. The bill’s requirements are not expected to significantly alter the existing contract with the license vendor.

- It is not clear the amount of labor that will be involved in developing a training program for law enforcement personnel, which is left to the discretion of the LPS. The ongoing costs of training to the State and local law enforcement agencies will be impacted by the materials utilized, how often the training is provided, and the manner in which the training is administered.

BILL DESCRIPTION

The bill permits the holder of a license or identification card to voluntarily indicate on the license or identification card that the holder has been diagnosed with an autism spectrum disorder or a communication disability. The designation is to be used by law enforcement officers or emergency medical professionals to identify and effectively communicate with a person diagnosed with an autism spectrum disorder or communication disability.

The designation indicating that a person has been diagnosed with an autism spectrum disorder or a communication disability is to be given a restriction code that is required to be displayed on the person's driver's license or non-driver identification in accordance with procedures prescribed by the Chief Administrator. However, the holder of a basic driver's license or non-driver identification card who makes the voluntary designation is required to have the opportunity to remove the designation at any time. The bill also requires the Chief Administrator of the MVC to establish and maintain an automated Statewide registry accessible by law enforcement officials for the purposes of identifying and effectively communicating with a person who has been diagnosed with an autism spectrum disorder or communication disability by a physician, psychologist, or any other health care professional.

Lastly, the bill establishes a program that is to be developed by the Attorney General to assist and train law enforcement officers to identify and effectively communicate with a person who has been diagnosed with an autism spectrum disorder or a communication disability. The program is to also include training in de-escalation methods when interacting with a person who has been diagnosed with an autism spectrum disorder or a communication disability, proper utilization of the registry established pursuant to this bill, and any other information, as recommended by the Commissioner of Human Services, that may be useful to law enforcement officers when interacting with a person who has been diagnosed with an autism spectrum disorder or a communication disability. The program is to be made available annually to every county and municipal law enforcement agency in the State.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS projects that implementing the bill will result in indeterminate initial development costs and ongoing administrative expenditures for the State for both the driver's license designation and the law enforcement training program. The magnitude of any State cost increase

will depend on implementation decisions made by the MVC and the LPS, which the OLS is unable to anticipate.

Initial State Development Expenditures: The MVC will be responsible for determining how licensees may indicate their autism spectrum disorder or communication disability on a license or identification card. The bill requires that, at a minimum, the designation will be via an endorsement code on the license and to be maintained in a database containing all individuals that adopt the notation. However, the Chief Administrator has the discretion to make further changes to the design of the license or identification card, such as the placement of warning text directly on the face of the license, or a unique display of the endorsement code relative to other endorsement codes. The MVC has existing staff capable of license design work and database development but the changes will consume MVC staff hours. Once the manner of designation is decided, it may be necessary to work with, potentially assisted by the OIT, the current driver's license vendor to redesign the software that produces driver's licenses to incorporate those changes. The MVC periodically makes change orders of this type, but the OLS does not have access to the cost or nature of these change orders, so it is not possible to determine an estimate from a comparable change order for the various types of alterations that the MVC may undertake.

The LPS comparably will have discretion to determine the form and manner of the law enforcement training procedures to assist law enforcement to better interact with individuals with autism spectrum disorders and communication disabilities. The training module could take the form of a training video, written materials, or a teaching script that various staff would have to administer directly to law enforcement staff. Decisions about the design and scope of the training will directly impact the amount of staff time and materials needed to develop the training and the subsequent costs to administer the training.

Annual State and Local Expenditures: The bill's driver's license designation may add to annual MVC operating expenditures by an indeterminate amount and will depend on the MVC's implementation decisions. Ongoing costs to the MVC will be higher if personnel changes are required to accommodate additional data entry or to provide additional customer service. Likewise, the law enforcement training program may add to annual State and local expenditures, depending upon the nature of the training materials and how often the training is administered. For example, training videos or other passive materials would be less costly to administer, while an in-person training curriculum would involve notable ongoing State and local law enforcement expenses.

Section: Authorities, Utilities, Transportation and Communications

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).