

SENATE, No. 1699

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Allows persons diagnosed with autism to voluntarily enter medical information in MVC database and make notation on driver's licenses, permits, and non-driver identification cards.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning motor vehicle safety and supplementing Title
2 39 of the Revised Statutes and amending P.L.2013, c.139.

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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. (New section) a. As used in this act, “motor vehicle record”
8 means any record that pertains to a motor vehicle operator's permit,
9 driver's license, motor vehicle registration, or identification card
10 issued by the commission.

11 b. The Chief Administrator of the New Jersey Motor Vehicle
12 Commission shall establish a program to assist law enforcement
13 officers in recognizing and effectively communicating with a person
14 who has been diagnosed with an autism spectrum disorder by a
15 physician, psychologist, or any other health care professional
16 licensed pursuant to Title 45 of the Revised Statutes. Under the
17 program, a person diagnosed with an autism spectrum disorder may
18 voluntarily report the diagnosis to the commission and identify any
19 motor vehicle which the person intends to regularly operate.

20 The person may submit the information through the
21 commission's website, by mail, or when filing an application with
22 the commission for a motor vehicle record. In addition, the person
23 may submit any other information that may assist a law
24 enforcement officer when communicating with the person. The
25 information shall be included as part of the person's motor vehicle
26 record.

27 c. Information submitted pursuant to subsection b. of this
28 section only shall be available to: (1) employees of the commission
29 who are designated by the chief administrator to collect and
30 maintain the information; and (2) law enforcement officers when
31 accessing the person's motor vehicle record. The information shall
32 be exclusively used during a motor vehicle stop or other law
33 enforcement action to assist law enforcement officers in
34 recognizing and effectively communicating with a person who has
35 been diagnosed with an autism spectrum disorder.

36 d. Any information submitted to the commission pursuant to
37 this section shall not be considered a public record pursuant to
38 P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et
39 al.), or the common law concerning access to public records and
40 shall not be discoverable as a public record by any person, entity, or
41 governmental agency.

42 e. The chief administrator may adopt, pursuant to the
43 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
44 seq.), any rules or regulations necessary for the implementation of
45 this act.

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.

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1. a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall permit a license or identification card holder to voluntarily indicate that the person is an insulin dependent diabetic.

c. The chief administrator shall permit a validated permit, probationary or basic driver's license holder, or non-driver identification card holder to voluntarily indicate that the holder has been diagnosed with an autism spectrum disorder by a physician, psychologist, or any other health care professional licensed pursuant to Title 45 of the Revised Statutes.

(cf: P.L.2013, c.139, s.1)

3. This act shall take effect on the first day of the seventh month following enactment, but the chief administrator may take any anticipatory action in advance thereof as shall be necessary for the implementation of this act.

STATEMENT

This bill requires the Chief Administrator of the Motor Vehicle Commission (MVC) to establish a program to assist law enforcement officers in recognizing and effectively communicating with a person who has been diagnosed with an autism spectrum disorder. Under the program, a person diagnosed with an autism spectrum disorder may voluntarily report the diagnosis to the commission through the commission's website, by mail, or when filing an application with the commission for a motor vehicle record. In addition, the person may identify any motor vehicle that the person intends to regularly operate and provide any other information that may assist a law enforcement officer when

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1 communicating with the person. The bill defines “motor vehicle
2 record” as any record that pertains to a motor vehicle operator's
3 permit, driver's license, motor vehicle registration, or identification
4 card issued by the MVC.

5 The information provided is to be included in the person’s motor
6 vehicle record and exclusively used to assist law enforcement
7 officers during a motor vehicle stop or other law enforcement
8 action.

9 Information submitted to the commission is not to be subject to
10 public disclosure under the “Open Public Records Act” or the common
11 law concerning access to public records or be discoverable as a public
12 record by any person, entity, or governmental agency.

13 In addition, this bill requires the chief administrator to allow a
14 validated permit, probationary or basic driver's license holder, or
15 non-driver identification card holder to voluntarily indicate that the
16 holder has been diagnosed with an autism spectrum disorder. The
17 designation is to be made in accordance with procedures prescribed by
18 the chief administrator and is to be used by law enforcement officials
19 or emergency medical professionals to effectively communicate with a
20 person diagnosed with an autism spectrum disorder.