

SENATE, No. 2077

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator STEVEN V. OROHO
District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires Chief Administrator of MVC to conduct wanted person check of all applicants for licenses, permits, and identification cards.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning driver's licenses and non-driver identification
2 cards and amending Title 39 of the Revised Statutes.

3

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

6

7 1. R.S.39:1-1 is amended to read as follows:

8 39:1-1. As used in this subtitle, unless other meaning is clearly
9 apparent from the language or context, or unless inconsistent with
10 the manifest intention of the Legislature:

11 "Alley" means a public highway wherein the roadway does not
12 exceed 12 feet in width.

13 "Authorized emergency vehicles" means vehicles of the fire
14 department, police vehicles and such ambulances and other vehicles
15 as are approved by the chief administrator when operated in
16 response to an emergency call.

17 "Autocycle" means a three-wheeled motorcycle designed to be
18 controlled with a steering wheel and pedals in which the operator
19 and passenger may ride in a completely or partially enclosed seating
20 area that is equipped with a roll cage or roll hoops, safety seat belts
21 for each occupant, and anti-lock brakes.

22 "Automobile" includes all motor vehicles except motorcycles.

23 "Berm" means that portion of the highway exclusive of roadway
24 and shoulder, bordering the shoulder but not to be used for
25 vehicular travel.

26 "Business district" means that portion of a highway and the
27 territory contiguous thereto, where within any 600 feet along such
28 highway there are buildings in use for business or industrial
29 purposes, including but not limited to hotels, banks, office
30 buildings, railroad stations, and public buildings which occupy at
31 least 300 feet of frontage on one side or 300 feet collectively on
32 both sides of the roadway.

33 "Car pool" means two or more persons commuting on a daily
34 basis to and from work by means of a vehicle with a seating
35 capacity of nine passengers or less.

36 "Chief Administrator" or "Administrator" means the Chief
37 Administrator of the New Jersey Motor Vehicle Commission.

38 "Commercial motor vehicle" includes every type of motor-driven
39 vehicle used for commercial purposes on the highways, such as the
40 transportation of goods, wares and merchandise, excepting such
41 vehicles as are run only upon rails or tracks and vehicles of the
42 passenger car type used for touring purposes or the carrying of farm
43 products and milk, as the case may be.

44 "Commission" means the New Jersey Motor Vehicle
45 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
46 4).

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 "Commissioner" means the Commissioner of Transportation of
2 this State.

3 "Commuter van" means a motor vehicle having a seating
4 capacity of not less than seven nor more than 15 adult passengers,
5 in which seven or more persons commute on a daily basis to and
6 from work and which vehicle may also be operated by the driver or
7 other designated persons for their personal use.

8 "Crosswalk" means that part of a highway at an intersection,
9 either marked or unmarked existing at each approach of every
10 roadway intersection, included within the connections of the lateral
11 lines of the sidewalks on opposite sides of the highway measured
12 from the curbs or, in the absence of curbs, from the edges of the
13 shoulder, or, if none, from the edges of the roadway; also, any
14 portion of a highway at an intersection or elsewhere distinctly
15 indicated for pedestrian crossing by lines or other marking on the
16 surface.

17 "Curb extension" or "bulbout" means a horizontal extension of
18 the sidewalk into the street which results in a narrower roadway
19 section.

20 "Dealer" includes every person actively engaged in the business
21 of buying, selling or exchanging motor vehicles or motorcycles and
22 who has an established place of business.

23 "Deputy Chief Administrator" means the deputy chief
24 administrator of the commission.

25 "Driver" means the rider or driver of a horse, bicycle or
26 motorcycle or the driver or operator of a motor vehicle, unless
27 otherwise specified.

28 "Explosives" means any chemical compound or mechanical
29 mixture that is commonly used or intended for the purpose of
30 producing an explosion and which contains any oxidizing and
31 combustive units or other ingredients in such proportions, quantities
32 or packing that an ignition by fire, friction, by concussion, by
33 percussion, or by detonator of any part of the compound or mixture
34 may cause such a sudden generation of highly heated gases that the
35 resultant gaseous pressures are capable of producing destructive
36 effects on contiguous objects or of destroying life or limb.

37 "Farm tractor" means every motor vehicle designed and used
38 primarily as a farm implement for drawing plows, mowing
39 machines, and other implements of husbandry.

40 "Flammable liquid" means any liquid having a flash point below
41 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
42 pounds.

43 "Gross weight" means the combined weight of a vehicle and a
44 load thereon.

45 "High occupancy vehicle" or "HOV" means a vehicle which is
46 used to transport two or more persons and shall include public
47 transportation, car pool, van pool, and other vehicles as determined
48 by regulation of the Department of Transportation.

1 "Highway" means the entire width between the boundary lines of
2 every way publicly maintained when any part thereof is open to the
3 use of the public for purposes of vehicular travel.

4 "Horse" includes mules and all other domestic animals used as
5 draught animals or beasts of burden.

6 "Inside lane" means the lane nearest the center line of the
7 roadway.

8 "Intersection" means the area embraced within the prolongation
9 of the lateral curb lines or, if none, the lateral boundary lines of two
10 or more highways which join one another at an angle, whether or
11 not one such highway crosses another.

12 "Laned roadway" means a roadway which is divided into two or
13 more clearly marked lanes for vehicular traffic.

14 "Leased limousine" means any limousine subject to regulation in
15 the State which:

16 a. Is offered for rental or lease, without a driver, to be operated
17 by a limousine service as the lessee, for the purpose of carrying
18 passengers for hire; and

19 b. Is leased or rented for a period of one year or more
20 following registration.

21 "Leased motor vehicle" means any motor vehicle subject to
22 registration in this State which:

23 a. Is offered for rental or lease, without a driver, to be operated
24 by the lessee, his agent or servant, for purposes other than the
25 transportation of passengers for hire; and

26 b. Is leased or rented for a period of one year or more
27 following registration.

28 "Limited-access highway" means every highway, street, or
29 roadway in respect to which owners or occupants of abutting lands
30 and other persons have no legal right of access to or from the same
31 except at such points only and in such manner as may be
32 determined by the public authority having jurisdiction over such
33 highway, street, or roadway; and includes any highway designated
34 as a "freeway" or "parkway" by authority of law.

35 "Local authorities" means every county, municipal and other
36 local board or body having authority to adopt local police
37 regulations under the Constitution and laws of this State, including
38 every county governing body with relation to county roads.

39 "Low-speed electric bicycle" means a two or three-wheeled
40 vehicle with fully operable pedals and an electric motor of less than
41 750 watts, that meets the requirements of one of the following
42 classifications: "class 1 low-speed electric bicycle" which means a
43 low-speed electric bicycle equipped with a motor that provides
44 assistance only when the rider is pedaling, and that ceases to
45 provide assistance when the bicycle reaches the speed of 20 miles
46 per hour; or "class 2 low-speed electric bicycle" which means a
47 low-speed electric bicycle equipped with a motor that may be used
48 exclusively to propel the bicycle, and that is not capable of

1 providing assistance when the bicycle reaches the speed of 20 miles
2 per hour.

3 "Low-speed electric scooter" means a scooter with a floorboard
4 that can be stood upon by the operator, with handlebars, and an
5 electric motor that is capable of propelling the device with or
6 without human propulsion at a maximum speed of less than 19
7 miles per hour.

8 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
9 as defined in 49 C.F.R. s.571.3(b), whose attainable speed is more
10 than 20 miles per hour but not more than 25 miles per hour on a
11 paved level surface and which is not powered by gasoline or diesel
12 fuel and complies with federal safety standards as set forth in 49
13 C.F.R. s.571.500.

14 "Magistrate" means any municipal court and the Superior Court,
15 and any officer having the powers of a committing magistrate and
16 the chief administrator.

17 "Manufacturer" means a person engaged in the business of
18 manufacturing or assembling motor vehicles, who will, under
19 normal business conditions during the year, manufacture or
20 assemble at least 10 new motor vehicles.

21 "Metal tire" means every tire the surface of which in contact with
22 the highway is wholly or partly of metal or other hard nonresilient
23 material.

24 "Mid-block crosswalk" means a crosswalk located away from an
25 intersection, distinctly indicated by lines or markings on the
26 surface.

27 "Motorized bicycle" means a pedal bicycle having a helper motor
28 characterized in that either the maximum piston displacement is less
29 than 50 cc. or said motor is rated at no more than 1.5 brake
30 horsepower or is powered by an electric drive motor and said
31 bicycle is capable of a maximum speed of no more than 25 miles
32 per hour on a flat surface or a pedal bicycle having an electric motor
33 that is capable of propelling the bicycle in excess of 20 miles per
34 hour with a maximum motor-powered speed of no more than 28
35 miles per hour on a flat surface. This term shall not include a low-
36 speed electric bicycle or low-speed electric scooter as defined in
37 this section.

38 "Motorcycle" includes motorcycles, autocycles, motor bikes,
39 bicycles with motor attached and all motor-operated vehicles of the
40 bicycle or tricycle type, except motorized bicycles, low-speed
41 electric bicycles, and low-speed electric scooters as defined in this
42 section, whether the motive power be a part thereof or attached
43 thereto and having a saddle or seat with driver sitting astride or
44 upon it or a platform on which the driver stands.

45 "Motor-drawn vehicle" includes trailers, semitrailers, or any
46 other type of vehicle drawn by a motor-driven vehicle.

47 "Motor vehicle" includes all vehicles propelled otherwise than by
48 muscular power, excepting such vehicles as run only upon rails or

1 tracks, low-speed electric bicycles, low-speed electric scooters, and
2 motorized bicycles.

3 "Motorized scooter" means a miniature motor vehicle and
4 includes, but is not limited to, pocket bikes, super pocket bikes,
5 scooters, mini-scooters, sport scooters, mini choppers, mini
6 motorcycles, motorized skateboards and other vehicles with motors
7 not manufactured in compliance with Federal Motor Vehicle Safety
8 Standards and which have no permanent Federal Safety
9 Certification stickers affixed to the vehicle by the original
10 manufacturer. This term shall not include: electric personal
11 assistive mobility devices, motorized bicycles, low-speed vehicles,
12 low-speed electric bicycles, or low-speed electric scooters; or
13 motorized wheelchairs, mobility scooters or similar mobility
14 assisting devices used by persons with physical disabilities, or
15 persons whose ambulatory mobility has been impaired by age or
16 illness.

17 "Motorized skateboard" means a skateboard that is propelled
18 otherwise than by muscular power.

19 "Motorized wheelchair" means any motor-driven wheelchair
20 utilized to increase the independent mobility, in the activities of
21 daily living, of an individual who has limited or no ambulation
22 abilities, and includes mobility scooters manufactured specifically
23 for such purposes and designed primarily for indoor use.

24 "Noncommercial truck" means every motor vehicle designed
25 primarily for transportation of property, and which is not a
26 "commercial vehicle."

27 "Official traffic control devices" means all signs, signals,
28 markings, and devices not inconsistent with this subtitle placed or
29 erected by authority of a public body or official having jurisdiction
30 for the purpose of regulating, warning, or guiding traffic.

31 "Omnibus" includes all motor vehicles used for the
32 transportation of passengers for hire, except commuter vans and
33 vehicles used in ridesharing arrangements and school buses, if the
34 same are not otherwise used in the transportation of passengers for
35 hire.

36 "Operator" means a person who is in actual physical control of a
37 vehicle or street car.

38 "Outside lane" means the lane nearest the curb or outer edge of
39 the roadway.

40 "Owner" means a person who holds the legal title of a vehicle, or
41 if a vehicle is the subject of an agreement for the conditional sale or
42 lease thereof with the right of purchase upon performance of the
43 conditions stated in the agreement and with an immediate right of
44 possession vested in the conditional vendee or lessee, or if a
45 mortgagor of a vehicle is entitled to possession, then the conditional
46 vendee, lessee or mortgagor shall be deemed the owner for the
47 purpose of this subtitle.

- 1 "Parking" means the standing or waiting on a street, road or
2 highway of a vehicle not actually engaged in receiving or
3 discharging passengers or merchandise, unless in obedience to
4 traffic regulations or traffic signs or signals.
- 5 "Passenger automobile" means all automobiles used and
6 designed for the transportation of passengers, other than omnibuses
7 and school buses.
- 8 "Pedestrian" means a person afoot.
- 9 "Person" includes natural persons, firms, copartnerships,
10 associations, and corporations.
- 11 "Pneumatic tire" means every tire in which compressed air is
12 designed to support the load.
- 13 "Pole trailer" means every vehicle without motive power
14 designed to be drawn by another vehicle and attached to the towing
15 vehicle by means of a reach, or pole, or by being boomed or
16 otherwise secured to the towing vehicle, and ordinarily used for
17 transporting long or irregularly shaped loads, such as poles, pipes,
18 or structural members capable, generally, of sustaining themselves
19 as beams between the supporting connections.
- 20 "Private road or driveway" means every road or driveway not
21 open to the use of the public for purposes of vehicular travel.
- 22 "Railroad train" means a steam engine, electric or other motor,
23 with or without cars coupled thereto, operated upon rails, except
24 street cars.
- 25 "REAL ID basic driver's license" means a basic driver's license
26 issued by the commission that complies with the provisions of the
27 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
28 supplementary thereto, and any federal regulations adopted
29 thereunder.
- 30 "REAL ID identification card" means an identification card
31 issued by the commission that complies with the provisions of the
32 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
33 supplementary thereto, and any federal regulations adopted
34 thereunder.
- 35 "REAL ID license" means any license to operate a motor vehicle
36 issued by the commission that complies with the provisions of the
37 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
38 supplementary thereto, and any federal regulations adopted
39 thereunder.
- 40 "REAL ID motorcycle license" means a motorcycle license
41 issued by the commission that complies with the provisions of the
42 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
43 supplementary thereto, and any federal regulations adopted
44 thereunder.
- 45 "REAL ID probationary license" means a probationary license
46 issued by the commission that complies with the provisions of the
47 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or

1 supplementary thereto, and any federal regulations adopted
2 thereunder.

3 "Recreation vehicle" means a self-propelled or towed vehicle
4 equipped to serve as temporary living quarters for recreational,
5 camping or travel purposes and used solely as a family or personal
6 conveyance.

7 "Residence district" means that portion of a highway and the
8 territory contiguous thereto, not comprising a business district,
9 where within any 600 feet along such highway there are buildings
10 in use for business or residential purposes which occupy 300 feet or
11 more of frontage on at least one side of the highway.

12 "Ridesharing" means the transportation of persons in a motor
13 vehicle, with a maximum carrying capacity of not more than 15
14 passengers, including the driver, where such transportation is
15 incidental to the purpose of the driver. The term shall include such
16 ridesharing arrangements known as car pools and van pools.

17 "Right-of-way" means the privilege of the immediate use of the
18 highway.

19 "Road tractor" means every motor vehicle designed and used for
20 drawing other vehicles and not so constructed as to carry any load
21 thereon either independently or any part of the weight of a vehicle
22 or load so drawn.

23 "Roadway" means that portion of a highway improved, designed,
24 or ordinarily used for vehicular travel, exclusive of the berm or
25 shoulder. In the event a highway includes two or more separate
26 roadways, the term "roadway" as used herein shall refer to any such
27 roadway separately, but not to all such roadways, collectively.

28 "Safety zone" means the area or space officially set aside within
29 a highway for the exclusive use of pedestrians, which is so plainly
30 marked or indicated by proper signs as to be plainly visible at all
31 times while set apart as a safety zone.

32 "School bus" means every motor vehicle operated by, or under
33 contract with, a public or governmental agency, or religious or other
34 charitable organization or corporation, or privately operated for the
35 transportation of children to or from school for secular or religious
36 education, which complies with the regulations of the New Jersey
37 Motor Vehicle Commission affecting school buses, including
38 "School Vehicle Type I" and "School Vehicle Type II" as defined
39 below:

40 "School Vehicle Type I" means any vehicle designed to transport
41 16 or more passengers, including the driver, used to transport
42 enrolled children, and adults only when serving as chaperones, to or
43 from a school, school connected activity, day camp, summer day
44 camp, summer residence camp, nursery school, child care center,
45 preschool center or other similar places of education. Such vehicle
46 shall comply with the regulations of the New Jersey Motor Vehicle
47 Commission and either the Department of Education or the

1 Department of Human Services, whichever is the appropriate
2 supervising agency.

3 "School Vehicle Type II" means any vehicle designed to
4 transport less than 16 passengers, including the driver, used to
5 transport enrolled children, and adults only when serving as
6 chaperones, to or from a school, school connected activity, day
7 camp, summer day camp, summer residence camp, nursery school,
8 child care center, preschool center or other similar places of
9 education. Such vehicle shall comply with the regulations of the
10 New Jersey Motor Vehicle Commission and either the Department
11 of Education or the Department of Human Services, whichever is
12 the appropriate supervising agency.

13 "School zone" means that portion of a highway which is either
14 contiguous to territory occupied by a school building or is where
15 school crossings are established in the vicinity of a school, upon
16 which are maintained appropriate "school signs" in accordance with
17 specifications adopted by the chief administrator and in accordance
18 with law.

19 "School crossing" means that portion of a highway where school
20 children are required to cross the highway in the vicinity of a
21 school.

22 "Semitrailer" means every vehicle with or without motive power,
23 other than a pole trailer, designed for carrying persons or property
24 and for being drawn by a motor vehicle and so constructed that
25 some part of its weight and that of its load rests upon or is carried
26 by another vehicle.

27 "Shipper" means any person who shall deliver, or cause to be
28 delivered, any commodity, produce or article for transportation as
29 the contents or load of a commercial motor vehicle. In the case of a
30 sealed ocean container, "shipper" shall not be construed to include
31 any person whose activities with respect to the shipment are limited
32 to the solicitation or negotiation of the sale, resale, or exchange of
33 the commodity, produce or article within that container.

34 "Shoulder" means that portion of the highway, exclusive of and
35 bordering the roadway, designed for emergency use but not
36 ordinarily to be used for vehicular travel.

37 "Sidewalk" means that portion of a highway intended for the use
38 of pedestrians, between the curb line or the lateral line of a
39 shoulder, or if none, the lateral line of the roadway and the adjacent
40 right-of-way line.

41 "Sign." See "Official traffic control devices."

42 "Slow-moving vehicle" means a vehicle run at a speed less than
43 the maximum speed then and there permissible.

44 "Solid tire" means every tire of rubber or other resilient material
45 which does not depend upon compressed air for the support of the
46 load.

47 "Standard" means, when used to describe any license to operate a
48 motor vehicle or any identification card issued by the commission

1 under the provisions of this Title, that the issuance of the license or
2 identification card does not require proof of lawful presence in the
3 United States.

4 "Street" means the same as highway.

5 "Street car" means a car other than a railroad train, for
6 transporting persons or property and operated upon rails principally
7 within a municipality.

8 "Stop," when required, means complete cessation from
9 movement.

10 "Stopping or standing," when prohibited, means any cessation of
11 movement of a vehicle, whether occupied or not, except when
12 necessary to avoid conflict with other traffic or in compliance with
13 the directions of a police officer or traffic control sign or signal.

14 "Suburban business or residential district" means that portion of
15 highway and the territory contiguous thereto, where within any
16 1,320 feet along that highway there is land in use for business or
17 residential purposes and that land occupies more than 660 feet of
18 frontage on one side or collectively more than 660 feet of frontage
19 on both sides of that roadway.

20 "Through highway" means every highway or portion thereof at
21 the entrances to which vehicular traffic from intersecting highways
22 is required by law to stop before entering or crossing the same and
23 when stop signs are erected as provided in this chapter.

24 "Trackless trolley" means every motor vehicle which is propelled
25 by electric power obtained from overhead trolley wires but not
26 operated upon rails.

27 "Traffic" means pedestrians, ridden or herded animals, vehicles,
28 street cars, and other conveyances either singly, or together, while
29 using any highway for purposes of travel.

30 "Traffic control signal" means a device, whether manually,
31 electrically, mechanically, or otherwise controlled, by which traffic
32 is alternately directed to stop and to proceed.

33 "Trailer" means every vehicle with or without motive power,
34 other than a pole trailer, designed for carrying persons or property
35 and for being drawn by a motor vehicle and so constructed that no
36 part of its weight rests upon the towing vehicle.

37 "Truck" means every motor vehicle designed, used, or
38 maintained primarily for the transportation of property.

39 "Truck tractor" means every motor vehicle designed and used
40 primarily for drawing other vehicles and not so constructed as to
41 carry a load other than a part of the weight of the vehicle and load
42 so drawn.

43 "Van pooling" means seven or more persons commuting on a
44 daily basis to and from work by means of a vehicle with a seating
45 arrangement designed to carry seven to 15 adult passengers.

46 "Vehicle" means every device in, upon or by which a person or
47 property is or may be transported upon a highway, excepting
48 devices moved by human power or used exclusively upon stationary

1 rails or tracks or low-speed electric bicycles, low-speed electric
2 scooters, or motorized bicycles.

3 “Wanted person check” shall have the same meaning as provided
4 in section 1 of P.L.2003, c.282 (C.30:4-91.3c).
5 (cf: P.L.2019, c.271, s.1)

6
7 2. R.S.39:3-10 is amended to read as follows:

8 39:3-10. A person shall not drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

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

47 A person shall not sit for an examination for any permit without
48 exhibiting photo identification deemed acceptable by the

1 commission, unless that person is a high school student
2 participating in a course of automobile driving education approved
3 by the State Department of Education and conducted in a public,
4 parochial, or private school of this State, pursuant to section 1 of
5 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
6 written law knowledge examination for any person 18 years of age
7 or older possessing a valid driver's license issued by any other state,
8 the District of Columbia, or the United States Territories of
9 American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or
10 the Virgin Islands. The commission shall be required to provide
11 that person with a booklet that highlights those motor vehicle laws
12 unique to New Jersey. A road test shall be required for a
13 probationary license and serve as a demonstration of the applicant's
14 ability to operate a vehicle of the class designated. During the road
15 test, an applicant may use a rear visibility system, parking sensors,
16 or other technology installed on the motor vehicle that enables the
17 applicant to view areas directly behind the vehicle or alerts the
18 applicant of obstacles while parking.

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

38 A person who successfully completes a road test for a
39 motorcycle license or a motorcycle endorsement when operating a
40 motorcycle or motorized scooter with an engine displacement of
41 less than 231 cubic centimeters shall be issued a motorcycle license
42 or endorsement restricting the person's operation of the vehicles to
43 any motorcycle with an engine displacement of 500 cubic
44 centimeters or less. A person who successfully completes a road
45 test for a motorcycle license or motorcycle endorsement when
46 operating a motorcycle with an engine displacement of 231 or more
47 cubic centimeters shall be issued a motorcycle license or
48 endorsement without any restriction as to engine displacement.

1 Any person who successfully completes an approved motorcycle
2 safety education course established pursuant to the provisions of
3 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a
4 motorcycle license or endorsement without restriction as to engine
5 displacement.

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

20 In addition to requiring the person to submit satisfactory proof of
21 identity and age, the commission shall require the person to
22 provide:

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

27 If the person does not have a social security number, the person
28 shall either:

29 (a) provide satisfactory proof of an Individual Taxpayer
30 Identification Number; or

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

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

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

1 The commission shall issue a standard basic driver's license or a
2 REAL ID basic driver's license to operate a motor vehicle other
3 than a motorcycle to a person over 18 years of age who previously
4 has not been licensed to drive a motor vehicle in this State or
5 another jurisdiction only if that person has: (1) operated a passenger
6 automobile in compliance with the requirements of this Title for not
7 less than one year, not including any period of suspension or
8 postponement, from the date of issuance of a probationary license
9 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been
10 assessed more than two motor vehicle points; (3) not been convicted
11 in the previous year for a violation of R.S.39:4-50, section 2 of
12 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189
13 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,
14 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other
15 motor vehicle-related violation the commission determines to be
16 significant and applicable pursuant to regulation; and (4) passed an
17 examination of the applicant's ability to operate a motor vehicle
18 pursuant to this section.

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

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

44 The commission shall expand the driver's license examination to
45 include a question asking whether the applicant is aware of the
46 provisions of the "Revised Uniform Anatomical Gift Act,"
47 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on

1 the driver's license the intention to make a donation of body organs
2 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

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

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

12 Any person applying for a driver's license to operate a motor
13 vehicle or motorized bicycle in this State shall surrender to the
14 commission any current driver's license issued to the applicant by
15 another state or jurisdiction upon the applicant's receipt of a driver's
16 license for this State. The commission shall refuse to issue a
17 driver's license if the applicant fails to comply with this provision.

18 An applicant for a permit or license who is under 18 years of age,
19 and who holds a permit or license for a passenger automobile issued
20 by another state or country that is valid or has expired within a time
21 period designated by the commission, shall be subject to the permit
22 and license requirements and penalties applicable to State permit
23 and license applicants who are of the same age; except that if the
24 other state or country has permit or license standards substantially
25 similar to those of this State, the credentials of the other state or
26 country shall be acceptable.

27 The commission shall create classified licensing of drivers
28 covering the following classifications:

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

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

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

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

45 Every applicant for a license under classification b. shall be a
46 holder of a basic driver's license. Any issuance of a license under
47 classification b. shall be by endorsement on the person's basic
48 driver's license.

1 A driver's license for motorcycles may be issued separately, but
2 if issued to the holder of a basic driver's license, it shall be by
3 endorsement on the person's basic driver's license. The holder of a
4 basic driver's license or a separately issued motorcycle license shall
5 be authorized to operate a motorcycle having a motor with a
6 maximum piston displacement that is less than 50 cubic centimeters
7 or a motor that is rated at no more than 1.5 brake horsepower with a
8 maximum speed no more than 35 miles per hour on a flat surface.

9 The commission, upon payment of the lawful fee and after it or a
10 person authorized by it has examined the applicant and is satisfied
11 of the applicant's ability as an operator, may, in its discretion, issue
12 a license to the applicant to drive a motor vehicle. The license shall
13 authorize the person to drive any registered vehicle, of the kind or
14 kinds indicated.

15 The license shall expire, except as otherwise provided, during the
16 fourth calendar year following the date in which the license was
17 issued and on the same calendar day as the person's date of birth. If
18 the person's date of birth does not correspond to a calendar day of
19 the fourth calendar year, the license shall expire on the last day of
20 the person's birth month.

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

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

39 Standard motorcycle license or endorsement: \$18.

40 REAL ID motorcycle license: \$29.

41 Omnibus or school bus endorsement: \$18.

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

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

44 The commission shall waive the payment of fees for issuance of
45 omnibus endorsements whenever an applicant establishes to the
46 commission's satisfaction that the applicant will use the omnibus
47 endorsement exclusively for operating omnibuses owned by a

1 nonprofit organization duly incorporated under Title 15 or 16 of the
2 Revised Statutes or Title 15A of the New Jersey Statutes.

3 The commission shall issue licenses for the following license
4 period on and after the first day of the calendar month immediately
5 preceding the commencement of the period, the licenses to be
6 effective immediately.

7 All applications for renewals of licenses shall be made in a
8 manner prescribed by the commission and in accordance with
9 procedures established by it.

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

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

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

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

39 (a) provide satisfactory proof of an Individual Taxpayer
40 Identification Number; or

41 (b) indicate, in a manner prescribed by the commission and
42 consistent with all other provisions of P.L.2019, c.271 (C.39:3-
43 10o et al.), that the person is not eligible to receive a social security
44 number; or

45 (2) as a condition for obtaining a REAL ID basic driver's
46 license: two documents providing satisfactory proof that the
47 applicant is a New Jersey resident; proof of the applicant's social
48 security number or verification of ineligibility for a social security

1 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
2 13, any acts amendatory or supplementary thereto, and any federal
3 regulations adopted thereunder; and proof that the applicant's
4 presence in the United States is authorized under federal law.

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

10 In addition to the requirements provided in this section, the chief
11 administrator shall conduct a wanted person check for every
12 applicant for a permit, and probationary or basic driver's license.

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

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

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

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

1 Possession of a standard basic driver's license or standard
2 motorcycle license issued pursuant to this section shall not be
3 considered evidence of an individual's citizenship or immigration
4 status and shall not be used as a basis for an investigation, arrest,
5 citation, prosecution, or detention.

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

24 As used in this section:

25 "Parking sensors" means proximity sensors which use either
26 electromagnetic or ultrasonic technology and are designed to alert
27 the driver to obstacles while parking.

28 "Rear visibility system" means devices or components installed
29 on a motor vehicle at the time of manufacture that allow a forward
30 facing driver to view a visual image of the area directly behind the
31 vehicle.

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

33

34 3. R.S.39:3-13 is amended to read as follows:

35 39:3-13. The chief administrator may, in the chief
36 administrator's discretion, issue to a person over 17 years of age an
37 examination permit, under the hand and seal of the chief
38 administrator, allowing such person, for the purpose of fitting the
39 person to become a licensed driver, to operate a designated class of
40 motor vehicles other than passenger automobiles and motorcycles
41 for a specified period of not more than 90 days, while in the
42 company and under the supervision of a driver licensed to operate
43 such designated class of motor vehicles.

44 The chief administrator, in the chief administrator's discretion,
45 may issue for a specified period of not less than one year a
46 passenger automobile or motorcycle-only examination permit to a
47 person over 17 years of age regardless of whether a person has
48 completed a course of behind-the-wheel automobile driving

1 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).
2 An examination permit applicant who is under 18 years of age shall
3 obtain the signature of a parent or guardian for submission to the
4 commission on a form prescribed by the chief administrator. The
5 chief administrator shall postpone for six months the driving
6 privileges of any person who submits a fraudulent signature for a
7 parent or guardian.

8 For six months immediately following the validation of an
9 examination permit, and until the holder passes the road test, the
10 holder who is less than 21 years of age shall operate the passenger
11 automobile only when accompanied by, and under the supervision
12 of, a New Jersey licensed driver who is at least 21 years of age and
13 has been licensed to drive a passenger automobile for not less than
14 three years. The holder of an examination permit who is at least 21
15 years of age shall operate the passenger automobile for the first
16 three months under such supervision and until the holder passes the
17 road test. The supervising driver of the passenger automobile shall
18 sit in the front seat of the vehicle. Whenever operating a vehicle
19 while in possession of an examination permit, the holder of the
20 permit shall operate the passenger automobile with only one
21 additional passenger in the vehicle excluding dependents of the
22 permit holder, except that this passenger restriction shall not apply
23 when the permit holder is at least 21 years of age or when the
24 permit holder is accompanied by a parent or guardian. Further, the
25 holder of the passenger automobile permit who is less than 21 years
26 of age shall not drive during the hours between 11:01 p.m. and 5
27 a.m.; provided, however, that this condition may be waived for an
28 emergency which, in the judgment of local police, is of sufficient
29 severity and magnitude to substantially endanger the health, safety,
30 welfare, or property of a person, or for any bona fide employment
31 or religion-related activity if the employer or appropriate religious
32 authority provides written verification of such activity in a manner
33 provided for by the chief administrator. The holder of the
34 examination permit shall not use any hand-held or hands-free
35 interactive wireless communication device, except in an emergency,
36 while operating a moving passenger automobile on a public road or
37 highway. "Use" shall include, but not be limited to, talking or
38 listening on any hand-held or hands-free interactive wireless
39 communication device or operating its keys, buttons, or other
40 controls. The passenger automobile permit holder shall ensure that
41 all occupants of the vehicle are secured in a properly adjusted and
42 fastened seat belt or child restraint system.

43 The holder of an examination permit subject to the provisions of
44 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a
45 motorcycle at any time from a half-hour after sunset to a half-hour
46 before sunrise. A motorcycle operated by the holder of an
47 examination permit shall carry only the operator and shall not be
48 operated on any toll road over which the New Jersey Turnpike

1 Authority or the South Jersey Transportation Authority has
2 jurisdiction or on any limited-access interstate highway.

3 The holder of any examination permit shall not operate a
4 motorcycle having a motor with a maximum piston displacement
5 that is less than 50 cubic centimeters or a motor that is rated at no
6 more than 1.5 brake horsepower with a maximum speed of no more
7 than 35 miles per hour on a flat surface at anytime from a half-hour
8 after sunset to a half-hour before sunrise and shall not operate the
9 motorcycle with any other passenger. The holder of any
10 examination permit shall not operate such a motorcycle upon
11 limited-access interstate highways or public roads or highways with
12 a posted speed limit greater than 35 miles per hour.

13 An applicant for an examination permit subject to the provisions
14 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18
15 years of age, shall be required to successfully complete a
16 motorcycle safety education course established pursuant to the
17 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a
18 condition for obtaining a motorcycle license or endorsement.

19 The chief administrator shall provide the holder of an
20 examination permit with two removable, transferable, highly
21 visible, reflective decals indicating that the driver of the vehicle
22 may be the holder of an examination permit. The decals shall be
23 designed by the chief administrator, in consultation with the
24 Division of Highway Traffic Safety in the Department of Law and
25 Public Safety. The chief administrator may charge a fee for the
26 decals not to exceed the actual cost of producing and distributing
27 the decals. The decals shall be displayed in a manner prescribed by
28 the chief administrator, in consultation with the Division of
29 Highway Traffic Safety in the Department of Law and Public
30 Safety, and shall be clearly visible to law enforcement officers. The
31 holder of an examination permit shall not operate a vehicle unless
32 the decals are displayed. The decal shall be removed once the
33 driver's examination permit period has ended.

34 When notified by a court of competent jurisdiction that an
35 examination permit holder has been convicted of a violation which
36 causes the permit holder to accumulate more than two motor vehicle
37 points or has been convicted of a violation of R.S.39:4-50; section 2
38 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189
39 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
40 P.L.2017, c.165 (C.2C:11-5.3; subsection c. of N.J.S.2C:12-1; or
41 any other motor vehicle-related law the chief administrator deems
42 significant and applicable pursuant to regulation, in addition to any
43 other penalty that may be imposed, the chief administrator shall,
44 without the exercise of discretion or a hearing, suspend the
45 examination permit holder's examination permit for 90 days. The
46 chief administrator shall restore the permit following the term of the
47 permit suspension if the permit holder satisfactorily completes a
48 remedial training course of not less than four hours which may be

1 given by the commission, a driving school licensed by the chief
2 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),
3 or any Statewide safety organization approved by the chief
4 administrator. The course shall be subject to oversight by the
5 commission according to its guidelines. The permit holder shall
6 also remit a course fee prior to the commencement of the course.
7 The chief administrator also shall postpone without the exercise of
8 discretion or a hearing the issuance of a basic license for 90 days if
9 the chief administrator is notified by a court of competent
10 jurisdiction that the examination permit holder, after completion of
11 the remedial training course, has been convicted of any motor
12 vehicle violation which results in the imposition of any motor
13 vehicle points or has been convicted of a violation of R.S.39:4-50;
14 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
15 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; subsection c. of
16 N.J.S.2C:12-1; or any other motor vehicle-related law the chief
17 administrator deems significant and applicable pursuant to
18 regulation. When the chief administrator is notified by a court of
19 competent jurisdiction that an examination permit holder has been
20 convicted of any alcohol or drug-related offense unrelated to the
21 operation of a motor vehicle and is not otherwise subject to any
22 other suspension penalty therefor, the chief administrator shall,
23 without the exercise of discretion or a hearing, suspend the
24 examination permit for six months.

25 An examination permit for a motorcycle or a commercial motor
26 vehicle issued to a person with a disability, as determined by the
27 New Jersey Motor Vehicle Commission after consultation with the
28 Department of Education, shall be valid for nine months or until the
29 completion of the road test portion of the license examination,
30 whichever period is shorter.

31 Each permit shall be sufficient license for the person to operate
32 such designated class of motor vehicles in this State during the
33 period specified, while in the company of and under the control of a
34 driver licensed by this State to operate such designated class of
35 motor vehicles, or, in the case of a commercial driver license
36 permit, while in the company of and under the control of a holder of
37 a valid commercial driver license for the appropriate license class
38 and with the appropriate endorsements issued by this or any other
39 state. Such person, as well as the licensed driver, except for a motor
40 vehicle examiner administering a driving skills test, shall be held
41 accountable for all violations of this subtitle committed by such
42 person while in the presence of the licensed driver.

43 In addition to requiring an applicant for an examination permit to
44 submit satisfactory proof of identity and age in accordance with the
45 type of license for which the applicant has applied, the chief
46 administrator also shall require the applicant to provide the requisite
47 number of documents providing satisfactory proof that the applicant

1 is a resident of the State in accordance with the provisions of
2 R.S.39:3-10.

3 Any documents and personal information, including an
4 applicant's photograph, obtained by the commission from an
5 applicant for a standard permit shall be confidential, shall not be
6 considered a government record pursuant to P.L.1963, c.73
7 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
8 common law concerning access to government records, and shall
9 not be disclosed by the commission for any purposes related to Title
10 8 of the United States Code without the informed consent of the
11 applicant, a warrant signed by a State or federal judge, or a lawful
12 court order or subpoena; except that nothing in this section shall be
13 construed to prohibit, or in any way restrict, any action where such
14 prohibition or restriction would be contrary to federal law. When
15 responding to a warrant, court order, or subpoena, the commission
16 may disclose only those records or information specifically
17 requested in the warrant, court order, or subpoena.

18 Possession of a standard permit issued pursuant to this section
19 shall not be considered evidence of an individual's citizenship or
20 immigration status and shall not be used as a basis for an
21 investigation, arrest, citation, prosecution, or detention.

22 Information regarding an applicant's Individual Tax
23 Identification Number, social security number, or ineligibility to
24 receive a social security number obtained by the commission for the
25 issuance of a standard permit pursuant to this section, shall not be
26 considered a government record pursuant to P.L.1963, c.73
27 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
28 common law concerning access to government records, and shall
29 not be disclosed by the commission except where: (1) required by
30 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
31 provides written informed consent to the disclosure; (3) the
32 requesting entity presents a warrant signed by a State or federal
33 judge, a lawful court order, or a subpoena; (4) required by State or
34 federal law, and to the extent that the disclosure may be necessary
35 to permit the State to participate in the National Driver Register
36 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
37 disclosure is in connection with an audit or investigation of identity
38 fraud, driver's license fraud, or non-driver identification card fraud.

39 If the chief administrator has reasonable cause to suspect that
40 any document presented by an applicant pursuant to this section is
41 altered, false, or otherwise invalid, the chief administrator shall
42 refuse to grant the permit until such time as the document may be
43 verified by the issuing agency to the chief administrator's
44 satisfaction.

45 A person violating this section shall be subject to a fine not
46 exceeding \$500 or imprisonment in the county jail for not more
47 than 60 days, but if that person has never been licensed to drive in
48 this State or any other jurisdiction, the applicant shall be subject to

1 a fine of not less than \$200 and, in addition, the court shall issue an
2 order to the commission requiring the commission to refuse to issue
3 a license to operate a motor vehicle to the person for a period of not
4 less than 180 days.

5 The holder of an examination permit shall be required to take a
6 road test in order to obtain a probationary license. No road test for
7 any person who has been issued an examination permit to operate a
8 passenger vehicle shall be given unless the person has met the
9 requirements of this section. No road test for a probationary license
10 shall be given unless the applicant has first secured an examination
11 permit and no such road test shall be scheduled for an applicant
12 who has secured an examination permit for a passenger vehicle or a
13 motorcycle for which an endorsement is not required until at least
14 six months for an applicant under 21 years of age or three months
15 for an applicant 21 years of age or older shall have elapsed
16 following the validation of the examination permit for practice
17 driving or, in the case of an examination permit for other vehicles,
18 until 20 days have elapsed. In the case of an omnibus endorsement
19 or school bus, no road test shall be scheduled until at least 10 days
20 shall have elapsed. Every applicant for an examination permit to
21 qualify for an omnibus endorsement or an articulated vehicle
22 endorsement shall be a holder of a valid basic driver's license.

23 The required fees for special learner's permits and examination
24 permits shall be as follows:

25 Basic driver's license.....up to \$10
26 Motorcycle license or endorsement.....\$ 5
27 Omnibus or school bus endorsement.....\$25

28 The chief administrator shall waive the payment of fees for
29 issuance of examination permits for omnibus endorsements
30 whenever the applicant establishes to the chief administrator's
31 satisfaction that said applicant will use the omnibus endorsement
32 exclusively for operating omnibuses owned by a nonprofit
33 organization duly incorporated under Title 15 or 16 of the Revised
34 Statutes or Title 15A of the New Jersey Statutes.

35 The specified period for which a permit is issued may be
36 extended for not more than an additional 60 days, without payment
37 of an added fee, upon application made by the holder thereof, where
38 the holder has applied to take the examination for a driver's license
39 prior to the expiration of the original period for which the permit
40 was issued and the chief administrator was unable to schedule an
41 examination during said period.

42 As a condition for the issuance of an examination permit under
43 this section, the chief administrator shall secure a digitized
44 photograph of the applicant. The photograph shall be stored in a
45 manner prescribed by the chief administrator and may be displayed
46 on the examination permit.

1 In addition to the requirements provided in this section, the chief
2 administrator shall conduct a wanted person check for every
3 applicant for an examination permit.

4 The chief administrator may require that whenever a person to
5 whom an examination permit has been issued has reconstructive or
6 cosmetic surgery which significantly alters the person's facial
7 features, the person shall notify the chief administrator who may
8 require the photograph of the person to be updated.

9 Specific use of the examination permit and any information
10 stored or encoded, electronically or otherwise, in relation thereto
11 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and
12 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-
13 322. Notwithstanding the provisions of any other law to the
14 contrary, the digitized photograph or any access thereto or any use
15 thereof shall not be sold, leased, or exchanged for value.
16 (cf: P.L.2019, c.271, s.12)

17

18 4. Section 1 of P.L.1950, c.127 (C.39:3-13.1) is amended to
19 read as follows:

20 1. The Chief Administrator of the New Jersey Motor Vehicle
21 Commission may issue to a person over 16 years of age a special
22 learner's permit, under the hand and seal of the chief administrator,
23 allowing such person, for the purpose of preparing to qualify for a
24 probationary license for a passenger automobile by operating a dual
25 pedal controlled motor vehicle while taking a required course of
26 behind-the-wheel automobile driving education approved by the
27 State Department of Education and conducted in a public, parochial,
28 or private school of this State or a course of behind-the-wheel
29 automobile driving instruction conducted by a drivers' school duly
30 licensed pursuant to the provisions of P.L.1951, c.216 (C.39:12-1 et
31 seq.). The special learner's permit shall be issued in lieu of the
32 examination permit provided for in R.S.39:3-13.

33 In addition to requiring an applicant for a permit to submit
34 satisfactory proof of identity and age in accordance with the type of
35 license for which the applicant has applied, the chief administrator
36 also shall require the applicant to provide the requisite number of
37 documents providing satisfactory proof that the applicant is a
38 resident of the State.

39 Any documents and personal information, including an
40 applicant's photograph, obtained by the commission from an
41 applicant for a standard permit shall be confidential, shall not be
42 considered a government record pursuant to P.L.1963, c.73
43 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
44 common law concerning access to government records, and shall
45 not be disclosed by the commission for any purpose related to Title
46 8 of the United States Code without the informed consent of the
47 applicant, a warrant signed by a State or federal judge, or a lawful
48 court order or subpoena; except that nothing in this section shall be

1 construed to prohibit, or in any way restrict, any action where such
2 prohibition or restriction would be contrary to federal law. When
3 responding to a warrant, court order, or subpoena, the commission
4 may disclose only those records or information specifically
5 requested in the warrant, court order, or subpoena.

6 Possession of a standard permit issued pursuant to this section
7 shall not be considered evidence of an individual's citizenship or
8 immigration status and shall not be used as a basis for an
9 investigation, arrest, citation, prosecution, or detention.

10 Information regarding an applicant's Individual Tax
11 Identification Number, social security number, or ineligibility to
12 receive a social security number obtained by the commission for the
13 issuance of a standard permit pursuant to this section, shall not be
14 considered a government record pursuant to P.L.1963, c.73
15 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
16 common law concerning access to government records, and shall
17 not be disclosed by the commission except where: (1) required by
18 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
19 provides written informed consent to the disclosure; (3) the
20 requesting entity presents a warrant signed by a State or federal
21 judge, a lawful court order, or a subpoena; (4) required by State or
22 federal law, and to the extent that the disclosure may be necessary
23 to permit the State to participate in the National Driver Register
24 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
25 disclosure is in connection with an audit or investigation of identity
26 fraud, driver's license fraud, or non-driver identification card fraud.

27 If the chief administrator has reasonable cause to suspect that
28 any document presented by an applicant pursuant to this section is
29 altered, false or otherwise invalid, the chief administrator shall
30 refuse to grant the permit until such time as the document may be
31 verified by the issuing agency to the chief administrator's
32 satisfaction.

33 In addition to the requirements provided in this section, the chief
34 administrator shall conduct a wanted person check for every
35 applicant for a special learner's permit.

36 A person violating this section shall be subject to a fine not
37 exceeding \$500 or imprisonment in the county jail for not more
38 than 60 days, but if that person has never been licensed to drive in
39 this State or any other jurisdiction, the applicant shall be subject to
40 a fine of not less than \$200 and, in addition, the court shall issue an
41 order to the commission requiring the commission to refuse to issue
42 a license to operate a motor vehicle to the person for a period of not
43 less than 180 days.

44 The special learner's permit described above, when issued to a
45 person taking a course of behind-the-wheel driving education
46 conducted in a public, parochial, or private school, shall be retained
47 in the office of the school principal at all times except during such
48 time as the person to whom the permit is issued is undergoing

1 behind-the-wheel automobile driving instruction. The chief
2 administrator may make such rules and regulations as he may deem
3 necessary to carry out the provisions of this section.

4 (cf: P.L.2019, c.271, s.13)

5
6 5. Section 4 of P.L.1950, c.127 (C.39:3-13.4) is amended to
7 read as follows:

8 4. a. The holder of a special learner's permit shall be entitled
9 to a probationary driver's license (1) upon attaining the age of 17
10 years, (2) upon the satisfactory completion of an approved behind-
11 the-wheel driver training course as indicated upon the face of the
12 special permit over the signature of the principal of the school or
13 the person operating the driving school in which the course was
14 conducted, (3) upon the completion of six months' driving
15 experience with a validated special learner's permit in compliance
16 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),
17 and (4) upon passing the road test pursuant to R.S.39:3-10.

18 b. The holder of a probationary license shall be permitted to
19 operate the passenger automobile with only one additional
20 passenger in the vehicle besides any dependent of the probationary
21 license holder, except that this passenger restriction shall not apply
22 when the holder of the probationary license is at least 21 years of
23 age or the probationary license holder is accompanied by a parent or
24 guardian. Further, the holder of the probationary license who is
25 under 21 years of age shall not drive during the hours between
26 11:01 p.m. and 5 a.m.; provided however, that this condition may
27 be waived for an emergency which, in the judgment of local police,
28 is of sufficient severity and magnitude to substantially endanger the
29 health, safety, welfare, or property of a person or for any bona fide
30 employment or religion-related activity if the employer or
31 appropriate religious authority provides written verification of such
32 activity in a manner provided for by the chief administrator.

33 c. The holder of the probationary license shall not use any
34 hand-held or hands-free interactive wireless communication device,
35 except in an emergency, while operating a moving passenger
36 automobile on a public road or highway. "Use" shall include, but
37 not be limited to, talking or listening on any hand-held or hands-
38 free interactive wireless communication device or operating its
39 keys, buttons, or other controls. In addition, the holder of the
40 probationary license shall ensure that all occupants of the vehicle
41 are secured in a properly adjusted and fastened seat belt or child
42 restraint system.

43 d. In addition to any other penalties provided under law, the
44 holder of a probationary license who accumulates more than two
45 motor vehicle points or is convicted of a violation of R.S.39:4-50;
46 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,
47 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
48 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or

1 any other motor vehicle law the chief administrator deems to be
2 significant and applicable pursuant to regulation shall, for the first
3 violation, be required to satisfactorily complete a remedial training
4 course of not less than four hours which may be given by the
5 commission, a driving school licensed by the chief administrator
6 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any
7 Statewide safety organization approved by the chief administrator.
8 The course shall be administered pursuant to rules and regulations
9 promulgated by the chief administrator and subject to oversight by
10 the commission. The authority of the chief administrator to
11 suspend, revoke, or deny issuance of an initial or renewal license to
12 operate a driving school or an instructor's license, and to assess
13 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to
14 any violations related to the administration of a remedial training
15 course. The license holder shall also remit a course fee prior to the
16 commencement of the course.

17 e. When notified by a court of competent jurisdiction that a
18 probationary license holder has been convicted of a second or
19 subsequent violation, in addition to any other penalties provided
20 under law, the chief administrator shall, without the exercise of
21 discretion or a hearing, suspend the probationary license for three
22 months, and shall postpone eligibility for a basic license for an
23 equivalent period. In addition, when the chief administrator is
24 notified by a court of competent jurisdiction that a probationary
25 license holder has been convicted of any alcohol or drug-related
26 offense unrelated to the operation of a motor vehicle, and he is not
27 otherwise subject to any other suspension penalty therefor, the chief
28 administrator shall, without the exercise of discretion or a hearing,
29 suspend the probationary license for six months.

30 f. The chief administrator shall provide the holder of a
31 probationary license with two removable, transferable, highly
32 visible, reflective decals indicating that the driver of the vehicle
33 may be the holder of a probationary license. The decals shall be
34 designed by the chief administrator, in consultation with the
35 Division of Highway Traffic Safety in the Department of Law and
36 Public Safety. The chief administrator may charge a fee for the
37 decals not to exceed the actual cost of producing and distributing
38 the decals. The decals shall be displayed in a manner prescribed by
39 the chief administrator, in consultation with the Division of
40 Highway Traffic Safety in the Department of Law and Public
41 Safety, and shall be clearly visible to law enforcement officers. The
42 holder of a probationary license shall not operate a vehicle unless
43 the decals are displayed. The decal shall be removed once the
44 driver's probationary license period has ended.

45 g. A probationary license may be sent by mail and shall be
46 clearly identifiable and distinguishable in appearance from a basic
47 license by any name, mark, color, or device deemed appropriate by
48 the chief administrator.

1 h. A person issued a probationary license pursuant to this
2 section may be issued a standard probationary license or a REAL
3 ID probationary license. The chief administrator shall require an
4 applicant for a standard probationary 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 probationary 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 an applicant for a probationary license to
16 submit satisfactory proof of identity and age, the chief administrator
17 shall require the applicant to provide:

18 (1) as a condition for obtaining a standard probationary license,
19 proof of the applicant's social security number and one document
20 providing satisfactory proof that the applicant is a New Jersey
21 resident. If the applicant does not have a social security number,
22 the applicant shall either:

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

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

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

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

42 If the chief administrator has reasonable cause to suspect that
43 any document presented by an applicant pursuant to this section is
44 altered, false, or otherwise invalid, the chief administrator shall
45 refuse to grant the probationary license until such time as the
46 document may be verified by the issuing agency to the chief
47 administrator's satisfaction.

1 A person violating this section shall be subject to a fine not
2 exceeding \$500 or imprisonment in the county jail for not more
3 than 60 days, but if that person has never been licensed to drive in
4 this State or any other jurisdiction, the applicant shall be subject to
5 a fine of not less than \$200 and, in addition, the court shall issue an
6 order to the commission requiring the commission to refuse to issue
7 a license to operate a motor vehicle to the person for a period of not
8 less than 180 days.

9 i. Any documents and personal information, including an
10 applicant's photograph, obtained by the commission from an
11 applicant for a standard probationary license shall be confidential,
12 shall not be considered a government record pursuant to P.L.1963,
13 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
14 common law concerning access to government records, and shall
15 not be disclosed by the commission for any purpose related to Title
16 8 of the United States Code without the informed consent of the
17 applicant, a warrant signed by a State or federal judge, or a lawful
18 court order or subpoena; except that nothing in this section shall be
19 construed to prohibit, or in any way restrict, any action where such
20 prohibition or restriction would be contrary to federal law. When
21 responding to a warrant, court order, or subpoena, the commission
22 may disclose only those records or information specifically
23 requested in the warrant, court order, or subpoena.

24 Possession of a standard probationary license issued pursuant to
25 this section shall not be considered evidence of an individual's
26 citizenship or immigration status and shall not be used as a basis for
27 an investigation, arrest, citation, prosecution, or detention.

28 Information regarding an applicant's Individual Tax
29 Identification Number, social security number, or ineligibility to
30 receive a social security number obtained by the commission for the
31 issuance of a standard probationary license pursuant to this section,
32 shall not be considered a government record pursuant to P.L.1963,
33 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
34 common law concerning access to government records, and shall
35 not be disclosed by the commission except where: (1) required by
36 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
37 provides written informed consent to the disclosure; (3) the
38 requesting entity presents a warrant signed by a State or federal
39 judge, a lawful court order, or a subpoena; (4) required by State or
40 federal law, and to the extent that the disclosure may be necessary
41 to permit the State to participate in the National Driver Register
42 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
43 disclosure is in connection with an audit or investigation of identity
44 fraud, driver's license fraud, or non-driver identification card fraud.

45 j. In addition to the requirements provided in this section, the
46 chief administrator shall conduct a wanted person check for every
47 applicant for a probationary license.

48 (cf: P.L.2019, c.271, s.14)

1 6. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
2 as follows:

3 2. a. (1) The New Jersey Motor Vehicle Commission shall
4 issue an identification card to any resident of the State who is 14
5 years of age or older and who is not the holder of a valid permit or
6 basic driver's license. The identification card shall attest to the true
7 name, correct age, and veteran status, upon submission of
8 satisfactory proof, by any veteran, and shall contain other
9 identifying data as certified by the applicant for such identification
10 card. Every application for an identification card shall be signed
11 and verified by the applicant and shall be accompanied by the
12 written consent of at least one parent or the person's legal guardian
13 if the person is under 17 years of age and shall be supported by such
14 documentary evidence of the age, identity, and veteran status, or
15 blindness, or disability of such person as the chief administrator
16 may require.

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

31 In addition to requiring an applicant for an identification card to
32 submit satisfactory proof of identity, age, and, if appropriate,
33 veteran status, the chief administrator also shall require the
34 applicant to provide:

35 (a) as a condition for obtaining a standard identification card,
36 proof of the applicant's social security number and one document
37 providing satisfactory proof that the applicant is a New Jersey
38 resident. If the applicant does not have a social security number,
39 the applicant shall either:

40 (i) provide satisfactory proof of an Individual Taxpayer
41 Identification Number; or

42 (ii) indicate, in a manner prescribed by the commission and
43 consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o
44 et al.), that the applicant is not eligible to receive a social security
45 number; or

46 (b) as a condition for obtaining a REAL ID identification card:
47 two documents providing satisfactory proof that the applicant is a
48 New Jersey resident; proof of the applicant's social security number

1 or verification of ineligibility for a social security number in
2 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
3 acts amendatory or supplementary thereto, and any federal
4 regulations adopted thereunder; and proof that the applicant's
5 presence in the United States is authorized under federal law.

6 Any documents and personal information, including an
7 applicant's photograph, obtained by the commission from an
8 applicant for a standard identification card shall be confidential,
9 shall not be considered a government record pursuant to P.L.1963,
10 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
11 common law concerning access to government records, and shall
12 not be disclosed by the commission for any purposes related to Title
13 8 of the United States Code without the informed consent of the
14 applicant, a warrant signed by a State or federal judge, or a lawful
15 court order or subpoena; except that nothing in this section shall be
16 construed to prohibit, or in any way restrict, any action where such
17 prohibition or restriction would be contrary to federal law. When
18 responding to a warrant, court order, or subpoena, the commission
19 may disclose only those records or information specifically
20 requested in the warrant, court order, or subpoena.

21 Possession of a standard identification card issued pursuant to
22 this section shall not be considered evidence of an individual's
23 citizenship or immigration status and shall not be used as a basis for
24 an investigation, arrest, citation, prosecution, or detention.

25 Information regarding an applicant's Individual Tax
26 Identification Number, social security number, or ineligibility to
27 receive a social security number obtained by the commission for the
28 issuance of a standard identification card pursuant to this section,
29 shall not be considered a government record pursuant to P.L.1963,
30 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
31 common law concerning access to government records, and shall
32 not be disclosed by the commission except where: (1) required by
33 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
34 provides written informed consent to the disclosure; (3) the
35 requesting entity presents a warrant signed by a State or federal
36 judge, a lawful court order, or a subpoena; (4) required by State or
37 federal law, and to the extent that the disclosure may be necessary
38 to permit the State to participate in the National Driver Register
39 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
40 disclosure is in connection with an audit or investigation of identity
41 fraud, driver's license fraud, or non-driver identification card fraud.

42 If the chief administrator has reasonable cause to suspect that
43 any document presented by an applicant pursuant to this section is
44 altered, false or otherwise invalid, the chief administrator shall
45 refuse to grant the identification card until such time as the
46 document may be verified by the issuing agency to the chief
47 administrator's satisfaction.

1 A person violating this section shall be subject to a fine not
2 exceeding \$500 or imprisonment in the county jail for not more
3 than 60 days.

4 (2) In addition to the requirements for the form and content of
5 an identification card pursuant to this section, the Chief
6 Administrator of the New Jersey Motor Vehicle Commission shall,
7 upon submission of satisfactory proof, designate on an
8 identification card that the card holder is a Gold Star Family
9 member. The commission shall provide to the Department of
10 Military and Veterans' Affairs personal identifying information for
11 any person issued an identification card with a Gold Star Family
12 designation pursuant to this section.

13 (3) In addition to the requirements provided in this section, the
14 chief administrator shall conduct a wanted person check for every
15 applicant for an identification card.

16 b. The designation of veteran status on an identification card
17 shall not be deemed sufficient valid proof of veteran status for
18 official governmental purposes when any other statute, or any
19 regulation or other directive of a governmental entity, requires
20 documentation of veteran status.

21 c. For the purpose of this section:

22 "Gold Star Family member" means a spouse, domestic partner,
23 partner in a civil union, parent, brother, sister, child, legal guardian,
24 or other legal custodian, whether of the whole or half blood or by
25 adoption, of a member of the Armed Forces of the United States or
26 National Guard, who lost his or her life while on active duty for the
27 United States.

28 "REAL ID identification card" shall have the same meaning as
29 provided in R.S.39:1-1.

30 "Veteran" means a person who has been honorably discharged
31 from the active military service of the United States or from service
32 in the New Jersey National Guard; and

33 "Satisfactory proof" means, in the case of a veteran, a copy of
34 form NGB-22, DD-214 or federal activation orders showing service
35 under Title 10, section 672 or section 12301, of the United States
36 Code, or a county veteran identification card only if issuance of the
37 card requires a copy of form DD-214 discharge papers or approved
38 separation forms as outlined by all branches of the military and duly
39 recorded by the county clerk's office. In the case of a Gold Star
40 Family member, satisfactory proof includes any or all of the
41 following:

42 (1) a certification from the Department of New Jersey of
43 American Gold Star Mothers, Inc., or any other organization formed
44 for the support of family members of members of the Armed Forces
45 of the United States or National Guard, who lost their lives while on
46 active duty for the United States, that the applicant is either the
47 spouse, domestic partner, partner in a civil union, parent, brother,
48 sister, child, legal guardian, or other legal custodian, whether of the

1 whole or half blood or by adoption, of a member of the armed
2 forces or National Guard who died while on active duty for the
3 United States; or

4 (2) (a) documentation deemed acceptable by the Adjutant
5 General, including, but not limited to, a federal DD Form 1300,
6 Report of Casualty, or a federal DD Form 2064, Certificate of
7 Death Overseas, which identifies the member of the Armed Forces
8 of the United States or National Guard who died while on active
9 duty for the United States; and

10 (b) documentation indicating the applicant's relationship to the
11 service member.

12 (cf: P.L.2019, c.271, s.15)

13

14 7. This act shall take effect on the first day of the thirteenth
15 month after enactment, except that the Chief Administrator of the
16 New Jersey Motor Vehicle Commission may take any anticipatory
17 administrative action in advance as shall be necessary for the
18 implementation of this act.

19

20

21

STATEMENT

22

23 This bill requires a wanted person check to be conducted of all
24 applicants for permits, driver's licenses, and identification cards.

25 Specifically, the bill requires the Chief Administrator of the
26 Motor Vehicle Commission (MVC) to conduct a wanted person
27 check of all applicants for a probationary or basic driver's license,
28 motorcycle license, examination permit, special learner's permit, or
29 non-driver identification card.

30 A "wanted person check" is defined under the bill as a
31 determination of whether a person has an outstanding arrest warrant
32 or pending charges by accessing the New Jersey Wanted Person
33 System (NJWPS) and New Jersey Criminal Justice Information
34 System (NJCJIS) in the files of the National Crime Information
35 Center (NCIC).