SENATE, No. 2757

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 30, 2020

Sponsored by:
Senator ANTHONY M. BUCCO
District 25 (Morris and Somerset)

SYNOPSIS

Permits certain drivers' schools to conduct road tests.

CURRENT VERSION OF TEXT

As introduced.

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

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

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

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

(cf: P.L.1951, c.216, s.4)

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

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

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

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

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

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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

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

3. This act shall take effect immediately.

STATEMENT

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

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

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