

# SENATE, No. 3424

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 9, 2021

**Sponsored by:**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**SYNOPSIS**

Requires MVC to allow person to indicate special needs with motor vehicle registration.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/8/2021)**

1 AN ACT concerning motor vehicle registrations and persons with  
2 special needs and supplementing Title 39 of the Revised Statutes.

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

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7 1. a. As used in this section, “special needs” means a physical,  
8 mental, or developmental disability that substantially limits one or  
9 more major life activities.

10 b. The Chief Administrator of the New Jersey Motor Vehicle  
11 Commission shall permit a person to designate, as part of the  
12 person’s motor vehicle registration and on a voluntary basis, that  
13 the person has special needs or that an immediate family member of  
14 the person who regularly operates the motor vehicle has special  
15 needs.

16 The commission shall permit a person to make this designation  
17 upon an application for a motor vehicle registration, upon renewal  
18 of a motor vehicle registration, or at any time through the  
19 commission’s Internet website. In addition to the designation, the  
20 person may submit any additional information that may assist law  
21 enforcement officials in communicating with the person with  
22 special needs. The commission shall allow a person to revise and  
23 update the designation and information or remove the designation  
24 and information at any time.

25 c. The designation and information submitted pursuant to this  
26 section shall only be available to: (1) employees of the commission  
27 who are selected by the chief administrator to collect and maintain  
28 the designation and information; and (2) law enforcement officials  
29 when accessing the person’s motor vehicle records. The  
30 designation and information shall be used only during a motor  
31 vehicle stop to assist law enforcement officials in identifying and  
32 effectively communicating with a person who has special needs and  
33 shall not be used for any other purpose.

34 Any designation and information submitted to the commission  
35 pursuant to this section shall not be considered a government record  
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404  
37 (C.47:1A-5 et al.), or the common law concerning access to  
38 government records and shall not be discoverable as a government  
39 record by any person, entity, or governmental agency, except upon  
40 a subpoena issued by a grand jury or a court order in a criminal  
41 matter.

42 d. The chief administrator may adopt, pursuant to the  
43 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-  
44 1 et seq.), any rules or regulations necessary for the implementation  
45 of P.L. , c. (C. ) (pending before the Legislature as this  
46 bill).

1       2. This act shall take effect on the first day of the seventh  
2 month following enactment, but the Chief Administrator of the New  
3 Jersey Motor Vehicle Commission may take any administrative  
4 action in advance of that date as shall be necessary for the timely  
5 implementation of this act.

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STATEMENT

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10       This bill requires the Chief Administrator of the New Jersey  
11 Motor Vehicle Commission (commission) to permit a person to  
12 voluntarily designate as part of the person's motor vehicle  
13 registration that the person has special needs or that an immediate  
14 family member of the person who regularly operates the motor  
15 vehicle has special needs. The bill defines "special needs" to mean  
16 a physical, mental, or developmental disability that substantially  
17 limits one or more major life activities.

18       The bill requires the commission to permit a person to make the  
19 designation upon an application for a motor vehicle registration,  
20 upon renewal of a motor vehicle registration, or at any time through  
21 the commission's Internet website. A person may also submit any  
22 additional information that may assist law enforcement officials in  
23 communicating with the person with special needs. The  
24 commission is to allow a person to revise and update the  
25 designation and information or remove the designation and  
26 information at any time.

27       The designation and information is to be available only to certain  
28 employees of the commission and law enforcement officials when  
29 accessing the person's motor vehicle records. The designation and  
30 information is to be used only during a motor vehicle stop to assist  
31 law enforcement officials in identifying and effectively  
32 communicating with a person who has special needs and is not to be  
33 used for any other purpose.

34       The designation and information submitted to the commission is  
35 not to be considered a government record and is not to be  
36 discoverable as a government record except upon a subpoena issued  
37 by a grand jury or a court order in a criminal matter.