

SENATE, No. 3999

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 21, 2021

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Co-Sponsored by:

Senator Gopal and Assemblywoman Reynolds-Jackson

SYNOPSIS

Authorizes Secretary of State and New Jersey Motor Vehicle Commission to share voter and motor vehicle information with state-based non-profit organization for maintaining accuracy of voter registration information.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2021)

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1 AN ACT concerning the disclosure of voter and motor vehicle
2 information for voter registration purposes, amending various
3 parts of the statutory law, and supplementing Title 19 and Title
4 39 of the Revised Statutes.

5

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

8

9 1. (New section) Notwithstanding the provisions of any law,
10 rule, or regulation to the contrary, the Secretary of State may
11 become a member, on behalf of the State of New Jersey, of a non-
12 profit organization comprised solely of United States territorial
13 governmental units, states, and the District of Columbia for the
14 purpose of improving the accuracy of voter registration information
15 and increasing access to voter registration for eligible individuals.
16 The Secretary of State may share, transmit, or receive confidential,
17 personal, or personally identifiable information, excluding
18 information unrelated to voter eligibility, for those purposes. The
19 Secretary of State shall not share or transmit documentation or other
20 information that indicates that an individual is not a citizen of the
21 United States. Information shared, transmitted, or received,
22 including information from the non-profit organization, in carrying
23 out the purposes of this section shall not be considered a
24 government record under P.L.1963, c.73 (C.47:1A-1 et seq.) or the
25 common law concerning access to government records.

26

27 2. (New section) a. Notwithstanding the provisions of any
28 law, rule, or regulation to the contrary, and to the extent not
29 otherwise inconsistent with the federal "Drivers' Privacy Protection
30 Act of 1994," Pub.L.103-322, and upon and consistent with a fully
31 executed membership agreement, the New Jersey Motor Vehicle
32 Commission may share confidential, personal, or personally
33 identifiable information, excluding information unrelated to voter
34 eligibility, for use by a non-profit organization comprised solely of
35 United States territorial governmental units, states, and the District
36 of Columbia for the purpose of improving the accuracy of voter
37 registration information and increasing access to voter registration
38 for eligible individuals. The sharing of that information shall not be
39 considered a violation of any other State law.

40 b. The sharing of information for the purpose provided in
41 subsection a. of this section shall be deemed a permissible use of
42 the information by the Department of State and the Division of
43 Elections in carrying out their functions and a permissible use of the
44 information by a private entity acting on behalf of the Department
45 of State and the Division of Elections in carrying out their

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

Matter underlined thus is new matter.

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1 functions. The information shall be transmitted in a manner
2 consistent with an applicable memorandum of understanding.

3 c. The New Jersey Motor Vehicle Commission shall not share or
4 transmit documentation or other information (1) concerning an
5 individual who does not have a social security number or has
6 submitted proof of identity to the commission using an Individual
7 Taxpayer Identification Number, (2) that indicates that an
8 individual is not a citizen of the United States, (3) that is a photo of
9 a person, or (4) that includes a person's social security number
10 beyond the last four digits thereof.

11 The information shared, transmitted, or received pursuant to this
12 section shall not be considered a government record under
13 P.L.1963, c.73 (C.47:1A-1 et seq.) or the common law concerning
14 access to government records.

15

16 3. Section 2 of P.L.1997, c.188 (C.39:2-3.4) is amended to read
17 as follows:

18 2. a. Notwithstanding the provisions of P.L.1963, c.73
19 (C.47:1A-1 et seq.) or any other law to the contrary, except as
20 provided in this act, the New Jersey Motor Vehicle Commission and
21 any officer, employee or contractor thereof shall not knowingly
22 disclose or otherwise make available to any person personal
23 information about any individual obtained by the commission in
24 connection with a motor vehicle record.

25 b. A person requesting a motor vehicle record including
26 personal information shall produce proper identification and shall
27 complete and submit a written request form provided by the chief
28 administrator for the commission's approval. The written request
29 form shall bear notice that the making of false statements therein is
30 punishable and shall include, but not be limited to, the requestor's
31 name and address; the requestor's driver's license number or
32 corporate identification number; the requestor's reason for
33 requesting the record; the driver's license number or the name,
34 address and birth date of the person whose driver record is
35 requested; the license plate number or VIN number of the vehicle
36 for which a record is requested; any additional information
37 determined by the chief administrator to be appropriate and the
38 requestor's certification as to the truth of the foregoing statements.
39 Prior to the approval of the written request form, the commission
40 may also require the requestor to submit documentary evidence
41 supporting the reason for the request.

42 In lieu of completing a written request form for each record
43 requested, the commission may permit a person to complete and
44 submit for approval of the chief administrator or the chief
45 administrator's designee, on a case by case basis, a written
46 application form for participation in a public information program
47 on an ongoing basis. The written application form shall bear notice
48 that the making of false statements therein is punishable and shall

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1 include, but not be limited to, the applicant's name, address and
2 telephone number; the nature of the applicant's business activity; a
3 description of each of the applicant's intended uses of the
4 information contained in the motor vehicle records to be requested;
5 the number of employees with access to the information; the name,
6 title, and signature of the authorized company representative; and
7 any additional information determined by the chief administrator to
8 be appropriate. The chief administrator may also require the
9 applicant to submit a copy of its business credentials, such as a
10 license to do business or a certificate of incorporation. Prior to
11 approval by the chief administrator or the chief administrator's
12 designee, the applicant shall certify in writing as to the truth of all
13 statements contained in the completed application form.

14 c. Personal information shall be disclosed for use in connection
15 with matters of motor vehicle or driver safety and theft; motor
16 vehicle emissions; motor vehicle product alterations, recalls or
17 advisories; performance monitoring of motor vehicles and dealers
18 by motor vehicle manufacturers; maintenance of voter registration
19 information; and removal of non-owner records from the original
20 owner records of motor vehicle manufacturers to carry out the
21 purposes of the Automobile Information Disclosure Act, Pub.L.85-
22 506, the Motor Vehicle Information and Cost Saving Act, Pub.L.92-
23 513, the National Traffic and Motor Vehicle Safety Act of 1966,
24 Pub.L.89-563, the Anti-Car Theft Act of 1992, Pub.L.102-519, and
25 the Clean Air Act, Pub.L.88-206, and may be disclosed as follows:

26 (1) For use by any government agency, including any court or
27 law enforcement agency in carrying out its functions, or any private
28 person or entity acting on behalf of a federal, State, or local agency
29 in carrying out its functions.

30 (2) For use in connection with matters of motor vehicle or driver
31 safety and theft; motor vehicle emissions; motor vehicle product
32 alterations, recalls, or advisories; performance monitoring of motor
33 vehicles, motor vehicle parts and dealers; motor vehicle market
34 research activities, including survey research; and the removal of
35 non-owner records from the original owner records of motor vehicle
36 manufacturers.

37 (3) For use in the normal course of business by a legitimate
38 business or its agents, employees, or contractors, but only:

39 (a) to verify the accuracy of personal information submitted by
40 the individual to the business or its agents, employees, or
41 contractors; and

42 (b) if such information as so submitted is not correct or is no
43 longer correct, to obtain the correct information, but only for the
44 purposes of preventing fraud by, pursuing legal remedies against, or
45 recovering on a debt or security interest against the individual.

46 (4) For use in connection with any civil, criminal, administrative
47 or arbitral proceeding in any federal, State, or local court or agency
48 or before any self-regulatory body, including service of process,

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1 investigation in anticipation of litigation, and the execution or
2 enforcement of judgments and orders, or pursuant to an order of a
3 federal, State, or local court.

4 (5) For use in educational initiatives, research activities, and for
5 use in producing statistical reports, so long as the personal
6 information is not published, redisclosed, or used to contact
7 individuals and, in the case of educational initiatives, only to organ
8 procurement organizations as aggregated, non-identifying
9 information.

10 (6) For use by any insurer or insurance support organization, or
11 by a self-insured entity, or its agents, employees, or contractors, in
12 connection with claims investigation activities, antifraud activities,
13 rating or underwriting.

14 (7) For use in providing notice to the owners of towed or
15 impounded vehicles.

16 (8) For use by an employer or its agent or insurer to obtain or
17 verify information relating to a holder of a commercial driver's
18 license that is required under the "Commercial Motor Vehicle
19 Safety Act," 49 U.S.C.App.s.2710 et seq.

20 (9) For use in connection with the operation of private toll
21 transportation facilities.

22 (10) For use by any requestor, if the requestor demonstrates it
23 has obtained the notarized written consent of the individual to
24 whom the information pertains.

25 (11) For product and service mail communications from
26 automotive-related manufacturers, dealers and businesses, if the
27 commission has implemented methods and procedures to ensure
28 that:

29 (a) individuals are provided an opportunity, in a clear and
30 conspicuous manner, to prohibit such uses; and

31 (b) product and service mail communications from automotive-
32 related manufacturers, dealers and businesses will not be directed at
33 individuals who exercise their option under subparagraph (a) of this
34 paragraph.

35 (12) For use by an organ procurement organization designated
36 pursuant to 42 U.S.C. s.1320b-8 to serve in the State of New Jersey,
37 or any donor registry established by any such organization,
38 exclusively for the purposes of determining, verifying, and
39 recording organ and tissue donor designation and identity. For these
40 purposes, an organ procurement organization shall have electronic
41 access at all times, without exception, to real-time organ donor
42 designation and identification information. An organ procurement
43 organization may also have information for research activities,
44 pursuant to paragraph (5) of subsection c. of this section.

45 (13) As provided in section 2 of P.L. , c. (C.) (pending
46 before the Legislature as this bill).

47 d. As provided by the federal "Drivers' Privacy Protection Act
48 of 1994," Pub.L.103-322, a person authorized to receive personal

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1 information under paragraphs (1) through (10) of subsection c. of
2 this section may resell or redisclose the personal information only
3 for a use permitted by paragraphs (1) through (10) of subsection c.
4 of this section subject to regulation by the commission. A person
5 authorized to receive personal information under paragraph (11) of
6 subsection c. of this section may resell or redisclose the personal
7 information pursuant to paragraph (11) of subsection c. of this
8 section subject to regulation by the commission. An organization
9 authorized to receive personal information under paragraph (12) of
10 subsection c. of this section may redisclose the personal information
11 only for the purposes set forth in that paragraph.

12 e. As provided by the federal "Drivers' Privacy Protection Act
13 of 1994," Pub.L.103-322, a person authorized to receive personal
14 information under this section who resells or rediscloses personal
15 information covered by the provisions of P.L.1997, c.188 (C.39:2-
16 3.3 et seq.) shall keep for a period of five years records identifying
17 each person or entity that receives information and the permitted
18 purpose for which the information will be used and shall make such
19 records available to the commission upon request. Any person who
20 receives, from any source, personal information from a motor
21 vehicle record shall release or disclose that information only in
22 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.).

23 f. The release of personal information under this section shall
24 not include an individual's social security number except in
25 accordance with applicable State or federal law.

26 g. Notwithstanding any provision to the contrary, the
27 commission shall not use, or disclose to any federal, State, or local
28 law enforcement any motor vehicle record containing personal
29 information, or any personal information, as this term is defined in
30 section 1 of P.L.1997, c.188 (C.39:2-3.3), for any purposes related
31 to Title 8 of the United States Code without the informed consent of
32 the applicant, a warrant signed by a State or federal judge, lawful
33 court order, or subpoena, except that nothing in this section shall be
34 construed to prohibit, or in any way restrict, any action where such
35 prohibition or restriction would be contrary to federal law.

36 When responding to a warrant, court order, or subpoena, the
37 commission may disclose only those records or information
38 specifically requested in the warrant, court order, or subpoena.
39 (cf: P.L.2019, c.271, s.4)

40

41 4. R.S.39:3-10 is amended to read as follows:

42 39:3-10. a. A person shall not drive a motor vehicle on a public
43 highway in this State unless the person is under supervision while
44 participating in a behind-the-wheel driving course pursuant to
45 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
46 validated permit, or a probationary or basic driver's license issued to
47 that person in accordance with this article.

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

35 c. A person shall not sit for an examination for any permit
36 without exhibiting photo identification deemed acceptable by the
37 commission, unless that person is a high school student
38 participating in a course of automobile driving education approved
39 by the State Department of Education and conducted in a public,
40 parochial, or private school of this State, pursuant to section 1 of
41 P.L.1950, c.127 (C.39:3-13.1).

42 Prior to taking an examination for any permit, a person shall
43 watch a video created by the commission, in conjunction with the
44 Attorney General, explaining the rights and responsibilities of a
45 driver stopped by a law enforcement officer. The video shall be
46 used for informational purposes only and shall not be used in any
47 criminal proceeding involving a driver stopped by a law
48 enforcement officer.

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1 The commission may waive the written law knowledge
2 examination for any person 18 years of age or older possessing a
3 valid driver's license issued by any other state, the District of
4 Columbia, or the United States Territories of American Samoa,
5 Guam, Northern Mariana Islands, Puerto Rico, or the Virgin
6 Islands. The commission shall be required to provide that person
7 with a booklet that highlights those motor vehicle laws unique to
8 New Jersey. A road test shall be required for a probationary license
9 and serve as a demonstration of the applicant's ability to operate a
10 vehicle of the class designated. During the road test, an applicant
11 may use a rear visibility system, parking sensors, or other
12 technology installed on the motor vehicle that enables the applicant
13 to view areas directly behind the vehicle or alerts the applicant of
14 obstacles while parking.

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

35 e. A person who successfully completes a road test for a
36 motorcycle license or a motorcycle endorsement when operating a
37 motorcycle or motorized scooter with an engine displacement of
38 less than 231 cubic centimeters shall be issued a motorcycle license
39 or endorsement restricting the person's operation of the vehicles to
40 any motorcycle with an engine displacement of 500 cubic
41 centimeters or less. A person who successfully completes a road
42 test for a motorcycle license or motorcycle endorsement when
43 operating a motorcycle with an engine displacement of 231 or more
44 cubic centimeters shall be issued a motorcycle license or
45 endorsement without any restriction as to engine displacement.
46 Any person who successfully completes an approved motorcycle
47 safety education course established pursuant to the provisions of
48 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a

1 motorcycle license or endorsement without restriction as to engine
2 displacement.

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

17 In addition to requiring the person to submit satisfactory proof of
18 identity and age, the commission shall require the person to
19 provide:

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

24 If the person does not have a social security number, the person
25 shall either:

26 (a) provide satisfactory proof of an Individual Taxpayer
27 Identification Number; or

28 (b) indicate, in a manner prescribed by the commission and
29 consistent with all other provisions of P.L.2019, c.271 (C.39:3-
30 10o et al.), that the person is not eligible to receive a social security
31 number; or

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

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

45 g. The commission shall issue a standard basic driver's license
46 or a REAL ID basic driver's license to operate a motor vehicle other
47 than a motorcycle to a person over 18 years of age who previously
48 has not been licensed to drive a motor vehicle in this State or

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

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

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

40 The commission shall expand the driver's license examination to
41 include a question asking whether the applicant is aware of the
42 provisions of the "Revised Uniform Anatomical Gift Act,"
43 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on
44 the driver's license the intention to make a donation of body organs
45 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

46 The commission shall expand the driver's license examination to
47 include a question asking whether the applicant is aware of the
48 dangers of failing to comply with this State's motor vehicle traffic

1 laws and the "STOP for Nikhil Safety Pledge" set forth in
2 subsection e. of R.S.39:3-41.

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

7 i. Any person applying for a driver's license to operate a motor
8 vehicle or motorized bicycle in this State shall surrender to the
9 commission any current driver's license issued to the applicant by
10 another state or jurisdiction upon the applicant's receipt of a driver's
11 license for this State. The commission shall refuse to issue a
12 driver's license if the applicant fails to comply with this provision.
13 An applicant for a permit or license who is under 18 years of age,
14 and who holds a permit or license for a passenger automobile issued
15 by another state or country that is valid or has expired within a time
16 period designated by the commission, shall be subject to the permit
17 and license requirements and penalties applicable to State permit
18 and license applicants who are of the same age; except that if the
19 other state or country has permit or license standards substantially
20 similar to those of this State, the credentials of the other state or
21 country shall be acceptable.

22 j. (1) The commission shall create classified licensing of
23 drivers covering the following classifications:

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

33 **[b.] (b)** Omnibuses as classified by R.S.39:3-10.1 and school
34 buses classified under N.J.S.18A:39-1 et seq.

35 **[c.] (c)** (Deleted by amendment, P.L.1999, c.28)

36 **[d.] (d)** All motor vehicles not included in classifications **[a.]**
37 **(a)** and **[b.] (b)**. A license issued pursuant to this classification d.
38 shall be referred to as the "basic driver's license" and may be issued
39 as a standard basic driver's license or a REAL ID basic driver's
40 license.

41 (2) Every applicant for a license under classification b. shall be
42 a holder of a basic driver's license. Any issuance of a license under
43 classification b. shall be by endorsement on the person's basic
44 driver's license.

45 (3) A driver's license for motorcycles may be issued separately,
46 but if issued to the holder of a basic driver's license, it shall be by
47 endorsement on the person's basic driver's license. The holder of a

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1 basic driver's license or a separately issued motorcycle license shall
2 be authorized to operate a motorcycle having a motor with a
3 maximum piston displacement that is less than 50 cubic centimeters
4 or a motor that is rated at no more than 1.5 brake horsepower with a
5 maximum speed no more than 35 miles per hour on a flat surface.

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

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

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

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

36 Standard motorcycle license or endorsement: \$18.

37 REAL ID motorcycle license: \$29.

38 Omnibus or school bus endorsement: \$18.

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

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

41 The commission shall waive the payment of fees for issuance of
42 omnibus endorsements whenever an applicant establishes to the
43 commission's satisfaction that the applicant will use the omnibus
44 endorsement exclusively for operating omnibuses owned by a
45 nonprofit organization duly incorporated under Title 15 or 16 of the
46 Revised Statutes or Title 15A of the New Jersey Statutes.

47 n. The commission shall issue licenses for the following
48 license period on and after the first day of the calendar month

1 immediately preceding the commencement of the period, the
2 licenses to be effective immediately.

3 o. All applications for renewals of licenses shall be made in a
4 manner prescribed by the commission and in accordance with
5 procedures established by it.

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

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

27 r. In addition to requiring an applicant for a driver's license to
28 submit satisfactory proof of identity and age, the commission also
29 shall require the applicant to provide:

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

35 (a) provide satisfactory proof of an Individual Taxpayer
36 Identification Number; or

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

41 (2) as a condition for obtaining a REAL ID basic driver's
42 license: two documents providing satisfactory proof that the
43 applicant is a New Jersey resident; proof of the applicant's social
44 security number or verification of ineligibility for a social security
45 number in accordance with the "REAL ID Act of 2005," Pub.L.109-
46 13, any acts amendatory or supplementary thereto, and any federal
47 regulations adopted thereunder; and proof that the applicant's
48 presence in the United States is authorized under federal law.

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

6 t. If the commission has reasonable cause to suspect that any
7 document presented by an applicant pursuant to this section is
8 altered, false, or otherwise invalid, the commission shall refuse to
9 grant the permit or license until the time when the document may be
10 verified by the issuing agency to the commission's satisfaction.

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

22 v. Nothing in this section shall be construed to alter or extend
23 the expiration of any license issued prior to the date this
24 amendatory and supplementary act becomes operative.

25 w. Any documents and personal information, including an
26 applicant's photograph, obtained by the commission from an
27 applicant for a standard basic driver's license or standard
28 motorcycle license shall be confidential, shall not be considered a
29 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
30 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
31 access to government records, and shall not be disclosed by the
32 commission for any purpose related to Title 8 of the United States
33 Code without the informed consent of the applicant, a warrant
34 signed by a State or federal judge, or a lawful court order or
35 subpoena; except that nothing in this section shall be construed to
36 prohibit, or in any way restrict, any action where such prohibition
37 or restriction would be contrary to federal law; and except that
38 information under this subsection may be shared in accordance with
39 section 2 of P.L. , c. (C.) (pending before the Legislature
40 as this bill). When responding to a warrant, court order, or
41 subpoena, the commission may disclose only those records or
42 information specifically requested in the warrant, court order, or
43 subpoena.

44 Possession of a standard basic driver's license or standard
45 motorcycle license issued pursuant to this section shall not be
46 considered evidence of an individual's citizenship or immigration
47 status and shall not be used as a basis for an investigation, arrest,
48 citation, prosecution, or detention.

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

20 x. As used in this section:

21 "Parking sensors" means proximity sensors which use either
22 electromagnetic or ultrasonic technology and are designed to alert
23 the driver to obstacles while parking.

24 "Rear visibility system" means devices or components installed
25 on a motor vehicle at the time of manufacture that allow a forward
26 facing driver to view a visual image of the area directly behind the
27 vehicle.

28 (cf: P.L.2021, c.148, s.1)

29

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

31 39:3-13. a. The chief administrator may, in the chief
32 administrator's discretion, issue to a person over 17 years of age an
33 examination permit, under the hand and seal of the chief
34 administrator, allowing such person, for the purpose of fitting the
35 person to become a licensed driver, to operate a designated class of
36 motor vehicles other than passenger automobiles and motorcycles
37 for a specified period of not more than 90 days, while in the
38 company and under the supervision of a driver licensed to operate
39 such designated class of motor vehicles.

40 b. The chief administrator, in the chief administrator's
41 discretion, may issue for a specified period of not less than one year
42 a passenger automobile or motorcycle-only examination permit to a
43 person over 17 years of age regardless of whether a person has
44 completed a course of behind-the-wheel automobile driving
45 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).
46 An examination permit applicant who is under 18 years of age shall
47 obtain the signature of a parent or guardian for submission to the
48 commission on a form prescribed by the chief administrator. The

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1 chief administrator shall postpone for six months the driving
2 privileges of any person who submits a fraudulent signature for a
3 parent or guardian.

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

39 d. The holder of an examination permit subject to the
40 provisions of section 1 of P.L.1977, c.23 (C.39:3-10b) shall not
41 operate a motorcycle at any time from a half-hour after sunset to a
42 half-hour before sunrise. A motorcycle operated by the holder of an
43 examination permit shall carry only the operator and shall not be
44 operated on any toll road over which the New Jersey Turnpike
45 Authority or the South Jersey Transportation Authority has
46 jurisdiction or on any limited-access interstate highway.

47 e. The holder of any examination permit shall not operate a
48 motorcycle having a motor with a maximum piston displacement

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

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

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

30 h. When notified by a court of competent jurisdiction that an
31 examination permit holder has been convicted of a violation which
32 causes the permit holder to accumulate more than two motor vehicle
33 points or has been convicted of a violation of R.S.39:4-50; section 2
34 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189
35 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of
36 P.L.2017, c.165 (C.2C:11-5.3; subsection c. of N.J.S.2C:12-1; or
37 any other motor vehicle-related law the chief administrator deems
38 significant and applicable pursuant to regulation, in addition to any
39 other penalty that may be imposed, the chief administrator shall,
40 without the exercise of discretion or a hearing, suspend the
41 examination permit holder's examination permit for 90 days. The
42 chief administrator shall restore the permit following the term of the
43 permit suspension if the permit holder satisfactorily completes a
44 remedial training course of not less than four hours which may be
45 given by the commission, a driving school licensed by the chief
46 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),
47 or any Statewide safety organization approved by the chief
48 administrator. The course shall be subject to oversight by the

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

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

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

39 k. In addition to requiring an applicant for an examination
40 permit to submit satisfactory proof of identity and age in
41 accordance with the type of license for which the applicant has
42 applied, the chief administrator also shall require the applicant to
43 provide the requisite number of documents providing satisfactory
44 proof that the applicant is a resident of the State in accordance with
45 the provisions of R.S.39:3-10.

46 l. Any documents and personal information, including an
47 applicant's photograph, obtained by the commission from an
48 applicant for a standard permit shall be confidential, shall not be

1 considered a government record pursuant to P.L.1963, c.73
2 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
3 common law concerning access to government records, and shall
4 not be disclosed by the commission for any purposes related to Title
5 8 of the United States Code without the informed consent of the
6 applicant, a warrant signed by a State or federal judge, or a lawful
7 court order or subpoena; except that nothing in this section shall be
8 construed to prohibit, or in any way restrict, any action where such
9 prohibition or restriction would be contrary to federal law; and
10 except that information under this subsection may be shared in
11 accordance with section 2 of P.L. , c. (C.) (pending before
12 the Legislature as this bill). When responding to a warrant, court
13 order, or subpoena, the commission may disclose only those records
14 or information specifically requested in the warrant, court order, or
15 subpoena.

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

20 Information regarding an applicant's Individual Tax
21 Identification Number, social security number, or ineligibility to
22 receive a social security number obtained by the commission for the
23 issuance of a standard permit pursuant to this section, shall not be
24 considered a government record pursuant to P.L.1963, c.73
25 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
26 common law concerning access to government records, and shall
27 not be disclosed by the commission except where: (1) required by
28 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
29 provides written informed consent to the disclosure; (3) the
30 requesting entity presents a warrant signed by a State or federal
31 judge, a lawful court order, or a subpoena; (4) required by State or
32 federal law, and to the extent that the disclosure may be necessary
33 to permit the State to participate in the National Driver Register
34 program, as set forth in 49 U.S.C. s.30301 et seq.; **[or]** (5) the
35 disclosure is in connection with an audit or investigation of identity
36 fraud, driver's license fraud, or non-driver identification card fraud;
37 or (6) consistent with section 2 of P.L. , c. (C.) (pending
38 before the Legislature as this bill).

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

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

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

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

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

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

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

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

15

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

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

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

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

1 prohibition or restriction would be contrary to federal law; and
2 except that information under this subsection may be shared in
3 accordance with section 2 of P.L. , c. (C.) (pending before
4 the Legislature as this bill). When responding to a warrant, court
5 order, or subpoena, the commission may disclose only those records
6 or information specifically requested in the warrant, court order, or
7 subpoena.

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

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

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

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

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

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1 time as the person to whom the permit is issued is undergoing
2 behind-the-wheel automobile driving instruction. The chief
3 administrator may make such rules and regulations as he may deem
4 necessary to carry out the provisions of this section.
5 (cf: P.L.2019, c.271, s.13)

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

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

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

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

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

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1 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or
2 any other motor vehicle law the chief administrator deems to be
3 significant and applicable pursuant to regulation shall, for the first
4 violation, be required to satisfactorily complete a remedial training
5 course of not less than four hours which may be given by the
6 commission, a driving school licensed by the chief administrator
7 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any
8 Statewide safety organization approved by the chief administrator.
9 The course shall be administered pursuant to rules and regulations
10 promulgated by the chief administrator and subject to oversight by
11 the commission. The authority of the chief administrator to
12 suspend, revoke, or deny issuance of an initial or renewal license to
13 operate a driving school or an instructor's license, and to assess
14 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to
15 any violations related to the administration of a remedial training
16 course. The license holder shall also remit a course fee prior to the
17 commencement of the course.

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

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

46 g. A probationary license may be sent by mail and shall be
47 clearly identifiable and distinguishable in appearance from a basic

1 license by any name, mark, color, or device deemed appropriate by
2 the chief administrator.

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

17 In addition to requiring an applicant for a probationary license to
18 submit satisfactory proof of identity and age, the chief administrator
19 shall require the applicant to provide:

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

25 (a) provide satisfactory proof of an Individual Taxpayer
26 Identification Number; or

27 (b) indicate, in a manner prescribed by the commission and
28 consistent with all other provisions of P.L.2019, c.271 (C.39:3-
29 10o et al.), that the person is not eligible to receive a social security
30 number; or

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

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

44 If the chief administrator has reasonable cause to suspect that
45 any document presented by an applicant pursuant to this section is
46 altered, false, or otherwise invalid, the chief administrator shall
47 refuse to grant the probationary license until such time as the

1 document may be verified by the issuing agency to the chief
2 administrator's satisfaction.

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

11 i. Any documents and personal information, including an
12 applicant's photograph, obtained by the commission from an
13 applicant for a standard probationary license shall be confidential,
14 shall not be considered a government record pursuant to P.L.1963,
15 c.73 (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 for any purpose related to Title
18 8 of the United States Code without the informed consent of the
19 applicant, a warrant signed by a State or federal judge, or a lawful
20 court order or subpoena; except that nothing in this section shall be
21 construed to prohibit, or in any way restrict, any action where such
22 prohibition or restriction would be contrary to federal law; and
23 except that information under this subsection may be shared in
24 accordance with section 2 of P.L. , c. (C.) (pending before
25 the Legislature as this bill). When responding to a warrant, court
26 order, or subpoena, the commission may disclose only those records
27 or information specifically requested in the warrant, court order, or
28 subpoena.

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

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

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1 fraud, driver's license fraud, or non-driver identification card fraud;
2 or (6) consistent with section 2 of P.L. , c. (C.) (pending
3 before the Legislature as this bill).
4 (cf: P.L.2019, c.271, s.14)

5
6 8. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
7 as follows:

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

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

36 In addition to requiring an applicant for an identification card to
37 submit satisfactory proof of identity, age, and, if appropriate,
38 veteran status, the chief administrator also shall require the
39 applicant to provide:

40 (a) as a condition for obtaining a standard identification card,
41 proof of the applicant's social security number and one document
42 providing satisfactory proof that the applicant is a New Jersey
43 resident. If the applicant does not have a social security number,
44 the applicant shall either:

45 (i) provide satisfactory proof of an Individual Taxpayer
46 Identification Number; or

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

5 (b) as a condition for obtaining a REAL ID identification card:
6 two documents providing satisfactory proof that the applicant is a
7 New Jersey resident; proof of the applicant's social security number
8 or verification of ineligibility for a social security number in
9 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
10 acts amendatory or supplementary thereto, and any federal
11 regulations adopted thereunder; and proof that the applicant's
12 presence in the United States is authorized under federal law.

13 Any documents and personal information, including an
14 applicant's photograph, obtained by the commission from an
15 applicant for a standard identification card shall be confidential,
16 shall not be considered a government record pursuant to P.L.1963,
17 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
18 common law concerning access to government records, and shall
19 not be disclosed by the commission for any purposes related to Title
20 8 of the United States Code without the informed consent of the
21 applicant, a warrant signed by a State or federal judge, or a lawful
22 court order or subpoena; except that nothing in this section shall be
23 construed to prohibit, or in any way restrict, any action where such
24 prohibition or restriction would be contrary to federal law; and
25 except that information under this subsection may be shared in
26 accordance with section 2 of P.L. , c. (C.) (pending before
27 the Legislature as this bill). When responding to a warrant, court
28 order, or subpoena, the commission may disclose only those records
29 or information specifically requested in the warrant, court order, or
30 subpoena.

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

35 Information regarding an applicant's Individual Tax
36 Identification Number, social security number, or ineligibility to
37 receive a social security number obtained by the commission for the
38 issuance of a standard identification card pursuant to this section,
39 shall not be considered a government record pursuant to P.L.1963,
40 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
41 common law concerning access to government records, and shall
42 not be disclosed by the commission except where: (1) required by
43 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
44 provides written informed consent to the disclosure; (3) the
45 requesting entity presents a warrant signed by a State or federal
46 judge, a lawful court order, or a subpoena; (4) required by State or
47 federal law, and to the extent that the disclosure may be necessary
48 to permit the State to participate in the National Driver Register

1 program, as set forth in 49 U.S.C. s.30301 et seq.; **[or]** (5) the
2 disclosure is in connection with an audit or investigation of identity
3 fraud, driver's license fraud, or non-driver identification card fraud;
4 or (6) consistent with section 2 of P.L. , c. (C.) (pending
5 before the Legislature as this bill).

6 If the chief administrator has reasonable cause to suspect that
7 any document presented by an applicant pursuant to this section is
8 altered, false or otherwise invalid, the chief administrator shall
9 refuse to grant the identification card until such time as the
10 document may be verified by the issuing agency to the chief
11 administrator's satisfaction.

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

15 (2) In addition to the requirements for the form and content of
16 an identification card pursuant to this section, the Chief
17 Administrator of the New Jersey Motor Vehicle Commission shall,
18 upon submission of satisfactory proof, designate on an
19 identification card that the card holder is a Gold Star Family
20 member. The commission shall provide to the Department of
21 Military and Veterans' Affairs personal identifying information for
22 any person issued an identification card with a Gold Star Family
23 designation pursuant to this section.

24 b. The designation of veteran status on an identification card
25 shall not be deemed sufficient valid proof of veteran status for
26 official governmental purposes when any other statute, or any
27 regulation or other directive of a governmental entity, requires
28 documentation of veteran status.

29 c. For the purpose of this section:

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

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

38 "Veteran" means any resident of the State now or hereafter who
39 has been discharged honorably or under general honorable
40 conditions in any branch of the Armed Forces of the United States,
41 or a Reserve component thereof, or the National Guard of this State
42 or another state as defined in section 1 of P.L.1963, c.109
43 (C.38A:1-1); and

44 "Satisfactory proof" means, in the case of a veteran, the
45 applicant's DD-214, DD-215, or DD-256 form as issued by the
46 federal government, or NGB-22 or other approved separation forms
47 as outlined by all branches of the Armed Forces, or federal
48 activation orders showing service under Title 10, section 672 or

1 section 12301, of the United States Code, or a county-issued
2 veteran identification card pursuant to P.L.2012, c.30 (C.40A:9-
3 78.1 et seq.), or a veteran identification card as issued by the United
4 States Department of Veterans Affairs under the "Veterans
5 Identification Card Act of 2015," (38 U.S.C. s.5706). In the case of
6 a Gold Star Family member, satisfactory proof includes any or all
7 of the following:

8 (1) a certification from the Department of New Jersey of
9 American Gold Star Mothers, Inc., or any other organization formed
10 for the support of family members of members of the Armed Forces
11 of the United States or National Guard, who lost their lives while on
12 active duty for the United States, that the applicant is either the
13 spouse, domestic partner, partner in a civil union, parent, brother,
14 sister, child, legal guardian, or other legal custodian, whether of the
15 whole or half blood or by adoption, of a member of the armed
16 forces or National Guard who died while on active duty for the
17 United States; or

18 (2) (a) documentation deemed acceptable by the Adjutant
19 General, including, but not limited to, a federal DD Form 1300,
20 Report of Casualty, or a federal DD Form 2064, Certificate of
21 Death Overseas, which identifies the member of the Armed Forces
22 of the United States or National Guard who died while on active
23 duty for the United States; and

24 (b) documentation indicating the applicant's relationship to the
25 service member.

26 (cf: P.L.2019, c.500, s.6.)

27

28 9. This act shall take effect immediately.

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STATEMENT

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33 This bill authorizes the Secretary of State to become a member
34 of a non-profit state-based organization for the purpose of
35 maintaining the accuracy of voter registration information, and
36 authorizes the New Jersey Motor Vehicle Commission to provide
37 motor vehicle records to that organization or to the Department of
38 State for those purposes.