SENATE, No. 4052

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 8, 2021

Sponsored by:
Senator KRISTIN M. CORRADO
District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Permits persons diagnosed with autism spectrum disorder to have MVC note that designation on certain MVC-issued documents.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning persons with autism spectrum disorder and certain motor vehicle records and supplementing Title 39 of the Revised Statutes.

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

1. a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall permit a person diagnosed with an autism spectrum disorder to voluntarily report the diagnosis to the commission and to identify any motor vehicle which the person intends to regularly operate. The designation indicating that a person is diagnosed with an autism spectrum disorder shall be done in accordance with procedures prescribed by the chief administrator. Information concerning the designation shall be included as part of the person's motor vehicle record.

b. Information submitted pursuant to subsection a. of this section shall only be available to:

(1) employees of the commission who are designated by the chief administrator to collect and maintain the information; and

(2) law enforcement officers when accessing the person's motor vehicle record and shall be exclusively used during a motor vehicle stop or other law enforcement action to assist law enforcement officers in recognizing and effectively communicating with a person who has been diagnosed with an autism spectrum disorder.

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

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

e. As used in this section:

"chief administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission;

"commission" means the New Jersey Motor Vehicle Commission; and

"motor vehicle record" means any record that pertains to a motor vehicle operator's driver's license or motor vehicle registration card issued by the commission.

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

STATEMENT

This bill requires the Chief Administrator (chief administrator) of the New Jersey Motor Vehicle Commission (commission) to permit a person diagnosed with an autism spectrum disorder to voluntarily report the diagnosis to the commission and to identify any motor vehicle which the person intends to regularly operate. The designation indicating that a person is diagnosed with an autism spectrum disorder is to be done in accordance with procedures prescribed by the chief administrator. Information concerning the designation is to be included as part of the person's motor vehicle record. The bill defines "motor vehicle record" as any record that pertains to a motor vehicle operator's driver's license or motor vehicle registration card issued by the commission.

The bill requires that the information provided is to be available only to: (1) employees of the commission who are designated by the chief administrator to collect and maintain the information; and (2) law enforcement officers when accessing the person's motor vehicle record. Information submitted to the commission is not to be subject to public disclosure under the "Open Public Records Act" or the common law concerning access to public records or be discoverable as a public record by any person, entity, or governmental agency.