

Compiled by the NJ State Law Library

REPRINT(S):	Yes	SBA 10/7/24 1R SBA 10/7/24 2R
--------------------	-----	----------------------------------

TECHNICAL REVIEW OF BILL:	Yes	STR 1/25/24 TR
COMMITTEE STATEMENT:	ASSEMBLY:	No
	SENATE:	Yes Transportation Budget & Appropriations 10/07/2024 Budget & Appropriations 06/26/2025

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes 02/21/24 10/18/24 07/03/25

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
LEGISLATOR STATEMENT:	Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

Matthew Fazelpoor, 'NJ to roll out digital driver's licenses under new law', *NJBIZ* (online), 25 Jul 2025<<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A22C3C9C3731650>>

Larry Higgs - For South Jersey Times, 'Gov. Murphy signs bill allowing digital driver's licenses Gov. Phil Murphy signed a new law that allows drivers to display a digital drivers on their phone.', *South Jersey Times* (online), 24 Jul 2025 004<<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A207B6890828C18>>

CL/MMcB

§§1-7,9
C.39:3-10q
to 39:3-10x
§8
T&E and Note
to §§2,7
§§11,12
Note

P.L. 2025, CHAPTER 115, *approved July 23, 2025*
Assembly, No. 3518 (*First Reprint*)

1 AN ACT creating ¹**mobile** digital¹ driver’s licenses and ¹digital
2 non-driver¹ identification cards, supplementing Title 39 of the
3 Revised Statutes, and amending R.S.39:3-29.

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

7
8 ¹**1.**(New section) a. As used in this section:
9 “Mobile driver’s license” means an electronic basic driver’s
10 license, electronic motorcycle license, or electronic probationary
11 driver’s license issued by the New Jersey Motor Vehicle
12 Commission that is accessible on a mobile electronic
13 communication device and includes all information found on a
14 printed, hard-copy basic driver’s license, motorcycle license, or
15 probationary driver’s license issued by the commission;

16 “Mobile electronic communication device” means any mobile
17 device capable of communication or other transmission of
18 information and includes, but is not limited to, a cellular telephone,
19 wireless tablet, any device with Internet capability, or other wireless
20 communication device; and

21 “Mobile identification card” means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and
24 includes all information found on a printed, hard-copy identification
25 card issued by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue a mobile driver’s license and
28 mobile identification card to an individual who voluntarily requests
29 a mobile driver’s license or mobile identification card and who
30 meets all requirements for the issuance of a driver’s license or
31 identification card. The commission may charge and collect a
32 reasonable fee for the issuance of a mobile driver’s license and
33 mobile identification card. The commission shall retain such fee in

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.
Matter enclosed in superscript numerals has been adopted as follows:
¹Assembly ABU committee amendments adopted June 26, 2025.

1 accordance with subsection b. of section 105 of P.L.2003, c.13
2 (C.39:2A-36).

3 c. The commission shall provide that the mobile driver's
4 license and mobile identification card include features to ensure the
5 security and integrity of the license and identification card. A
6 process, prescribed by the chief administrator, shall provide for the
7 issuance of mobile driver's licenses and mobile identification cards
8 to prevent and detect the alteration, duplication, counterfeiting,
9 photographing, forging, or other modification of the mobile driver's
10 license and mobile identification card.

11 d. The commission shall allow a person with a mobile driver's
12 license or a mobile identification card, or a person applying for such
13 driver's license or identification card, to update the person's motor
14 vehicle record, including, but not limited to, a change of address
15 and organ donor status. Such changes shall immediately become
16 part of the person's official motor vehicle record and shall take
17 precedence over information provided on a printed, hard-copy
18 driver's license and identification card.】¹

19

20 ¹1. (New section) As used in sections 1 through 7 of P.L. ,
21 c. (C.) (pending before the Legislature as this bill):

22 "Attribute authentication" means the ability of a digital driver's
23 license or digital non-driver identification card to affirmatively and
24 accurately prove to a verifier that something the holder claims about
25 themselves is true without revealing the underlying data associated
26 with the license or card.

27 "Chief administrator" means the Chief Administrator of the
28 New Jersey Motor Vehicle Commission.

29 "Commission" means the New Jersey Motor Vehicle
30 Commission.

31 "Digital driver's license" means a digital basic driver's license,
32 digital motorcycle license, or digital probationary driver's license
33 issued by the commission that is accessible on an electronic device
34 and includes all information found on a printed, hard-copy basic
35 driver's license, motorcycle license, or probationary driver's license
36 issued by the commission.

37 "Digital non-driver identification card" means a digital non-
38 driver identification card issued by the commission that is
39 accessible on an electronic device and includes all information
40 found on a printed, hard-copy non-driver identification card issued
41 by the commission.

42 "Digital wallet" means an application accessed on an electronic
43 device or accessed remotely, which application permits a holder to
44 present a digital driver's license or digital non-driver identification
45 card in person, online, or through other remote means.

46 "Electronic device" means any mobile device capable of either
47 communication or other transmission of information and includes,

1 but is not limited to, a cellular telephone, wireless tablet, any device
2 with Internet capability, or other wireless communication device.

3 “Holder” means a person who possesses a digital driver’s
4 license or digital non-driver identification card that establishes
5 proof of that person’s identity or of some attribute or authorization
6 that the person possesses.

7 “Personal information” means any information that is linked or
8 reasonably linked to an identified or identifiable person.

9 “Person” means a natural person.

10 “Presentation” means the act of revealing all or any portion of a
11 digital driver’s license or digital non-driver identification card to a
12 verifier.

13 “Selective disclosure” means the sole discretion of a holder to
14 choose which data fields from a digital driver’s license or digital
15 non-driver identification card to disclose during a presentation,
16 provided that the holder discloses at least those data fields that are
17 reasonably necessary for the purpose of a presentation.

18 “Verification tool” means a device that is used by verifiers to
19 exchange data with the holder’s digital wallet during a presentation
20 and to verify the authenticity of that presentation.

21 “Verifier” means a person or an entity that checks a holder’s
22 digital driver’s license or digital non-driver identification card in
23 order to establish proof of a holder’s identity or of some attribute or
24 authorization that the holder possesses.¹

25
26 ¹2. (New section) a. The Chief Administrator of the New Jersey
27 Motor Vehicle Commission shall create and issue, in addition to the
28 printed, hard-copy driver’s license or non-driver identification card
29 issued by the commission, a digital driver’s license or digital non-
30 driver identification card to a person who voluntarily requests a digital
31 driver’s license or digital non-driver identification card and who meets
32 all requirements for the issuance of a printed, hard-copy basic driver’s
33 license, motorcycle license, probationary driver’s license, or non-
34 driver identification card, as applicable. The commission may charge
35 and collect a reasonable fee for the issuance of either a digital driver’s
36 license or digital non-driver identification card. The commission shall
37 retain such fee in accordance with subsection b. of section 105 of
38 P.L.2003, c.13 (C.39:2A-36).

39 b. (1) The commission shall provide that the digital driver’s
40 license and digital non-driver identification card include features to
41 ensure the security and integrity of the license and identification card
42 and the protection of personal information, including protection
43 against unauthorized access to such information. Such features shall
44 ensure that:

45 (a) use of the digital driver’s license or digital non-driver
46 identification card does not require handing over one’s electronic
47 device to any other person or entity when using the digital driver’s
48 license or digital non-driver identification card;

1 **(b) any remote access to the digital driver's license or digital non-**
2 **driver identification card requires the express, affirmative, real-time**
3 **consent of the holder of the digital driver's license or digital non-**
4 **driver identification card that is being requested for each piece of**
5 **information being requested and will be limited to only that**
6 **information which is provided on a printed, hard-copy basic driver's**
7 **license or printed, hard-copy non-driver identification card;**

8 **(c) the digital driver's license or digital non-driver identification**
9 **card, as well as any mobile application required for the digital driver's**
10 **license or digital non-driver identification card, does not contain or**
11 **collect any information not strictly necessary for the functioning of the**
12 **digital driver's license, digital non-driver identification card, or mobile**
13 **application, including, but not limited to, location information;**

14 **(d) no part of the system or technology involved in a digital**
15 **driver's license or digital non-driver identification card utilized by the**
16 **commission will disclose any data regarding a holder's presentation of**
17 **such license or identification card to the commission;**

18 **(e) the information transmitted to the digital driver's license or**
19 **digital non-driver identification card, as well as any mobile application**
20 **required for the digital driver's license or digital non-driver**
21 **identification card, is encrypted and protected to the highest reasonable**
22 **security standards that are broadly available and cannot be intercepted**
23 **while being transmitted from the commission;**

24 **(f) a digital driver's license or digital non-driver identification card**
25 **includes techniques and methodologies that ensure that multiple**
26 **presentations of non-unique data by a holder cannot be linked together**
27 **by one or more verifiers;**

28 **(g) any data exchanged between the commission and any**
29 **electronic device, between the commission and the provider of any**
30 **electronic device, and between any electronic device and the provider**
31 **of that electronic device, shall be limited to the data necessary to**
32 **display the information necessary for a digital driver's license or**
33 **digital non-driver identification card;**

34 **(h) a digital driver's license or digital non-driver identification card**
35 **provides for selective disclosure and allows attribute authentication,**
36 **including proof of meeting the minimum age for restricted product**
37 **purchases; and**

38 **(i) any contract between the commission and another entity**
39 **concerning digital driver's licenses or digital non-driver identification**
40 **cards prohibits the use, sharing, sale, or disclosure of any information**
41 **obtained as part of the contract, including, but not limited to, any**
42 **information about the holder, except as is necessary to satisfy the**
43 **terms of the contract, and provides that, upon the termination or**
44 **expiration of the contract, the entity shall delete any data collected or**
45 **generated in the course of activities pursuant to that contract within 30**
46 **days.**

47 **(2) A process, prescribed by the chief administrator, shall provide**
48 **for the issuance of digital driver's licenses and digital non-driver**

1 identification cards to prevent and detect the alteration, duplication,
2 counterfeiting, photographing, forging, or other modification of the
3 digital driver's license and digital non-driver identification card.

4 c. The commission may not revoke or withdraw the holder's
5 access to a digital driver's license or digital non-driver identification
6 card unless the commission determines:

7 (1) the security or integrity of the digital driver's license or digital
8 non-driver identification card has been compromised;

9 (2) the digital driver's license or digital non-driver identification
10 card was procured in error or by fraud;

11 (3) the holder requests that such access be revoked or withdrawn;
12 or

13 (4) the commission has grounds for revoking the holder's printed,
14 hard-copy driver's license or printed, hard-copy non-driver
15 identification card as otherwise provided pursuant to applicable law or
16 regulation.

17 d. (1) The provisions of section 2 of P.L.1997, c.188 (C.39:2-3.4),
18 subsection w. of R.S.39:3-10, subsection i. of section 4 of P.L.1950,
19 c.127 (C.39:3-13.4), subsection a. of section 2 of P.L.1980, c.47
20 (C.39:3-29.3), and section 22 of P.L.2019, c.271 (C.39:3-10p) shall
21 apply to digital driver's licenses, digital non-driver identification
22 cards, and the motor vehicle records associated with such licenses and
23 identification cards.

24 (2) A signed application for a digital driver's license or digital non-
25 driver identification card shall constitute the applicant's informed
26 consent for the sharing of the applicant's personal information for the
27 sole purpose of issuing the applicant a digital driver's license or digital
28 non-driver identification card.

29 e. The commission shall allow a person with a digital driver's
30 license or a digital non-driver identification card, or a person applying
31 for such driver's license or identification card, to update the person's
32 motor vehicle record, including, but not limited to, a change of address
33 and organ donor status. Such changes shall immediately become part
34 of the person's official motor vehicle record.

35 f. The commission shall ensure that a digital driver's license or a
36 digital non-driver identification card is accessible to, and usable by,
37 persons with disabilities.

38 g. The commission shall, in consultation with the Attorney
39 General, provide information on the commission's Internet website to
40 educate the public on the availability and use of digital driver's
41 licenses and digital non-driver identification cards.¹

42
43 ¹3. (New section) a. A digital driver's license or digital non-
44 driver identification card shall include standard technical and
45 administrative measures, as determined by the commission, that
46 verifiers shall use to identify and authenticate themselves to a holder's
47 digital wallet.

1 b. A digital wallet containing a New Jersey digital driver's license
2 or digital non-driver identification card shall display to a holder which
3 data is being requested by a verifier and the verifier's identity and shall
4 allow the holder to select which data is and is not transmitted to the
5 verifier.

6 c. A digital wallet containing a New Jersey digital driver's license
7 or digital non-driver identification card shall keep a log of each
8 requesting verifier, the data that was requested, and the data that was
9 transmitted to that verifier, if any. The log shall be available
10 exclusively to the holder, who may, at will, delete any or all of the
11 information contained in the log.

12 d. A holder may carry a digital driver's license or digital non-
13 driver identification card in any digital wallet of the holder's choice
14 that complies with widely-accepted standards for security, including
15 any appropriate encryption standards, consistent with P.L. ,
16 c. (C.) (pending before the Legislature as this bill) and as
17 identified by the commission or the Attorney General, as applicable.¹
18

19 ¹4. (New section) a. No verifier or entity contracting with the
20 commission may collect, retain, share, or use information from a
21 digital driver's license or digital non-driver identification card for
22 longer than what is strictly necessary for the purpose for which that
23 information was presented.

24 b. No provider of a digital wallet or of a verification tool
25 operating in this State shall access, collect, retain, share, or use
26 personal information about a holder's digital driver's license or digital
27 non-driver identification card, or about the use of such license or
28 identification card, except as required by State or federal law or
29 regulation.¹
30

31 ¹5. (New section) a. A holder shall not be required to give
32 physical possession of the holder's electronic device to any other
33 person or entity in order to use a digital driver's license or digital non-
34 driver identification card for identity verification. No person or entity,
35 including any law enforcement officer as defined in section 2 of
36 P.L.1961, c.56 (C.52:17B-67), shall take physical possession of a
37 holder's electronic device for the purposes of verifying the holder's
38 identity.

39 b. If a holder displays or gives physical possession of the holder's
40 electronic device to any other person or entity in order to use the
41 license or identification card for identity verification, the display or
42 surrender of physical possession of the holder's electronic device shall
43 not constitute the holder's consent to a search of or the holder's
44 consent for access to any information other than that which is
45 immediately available on the digital driver's license or digital non-
46 driver identification card. Information incidentally obtained in the
47 process of viewing a digital driver's license or digital non-driver
48 identification card to verify the identity of the holder shall not be used

1 to establish probable cause for a warrant to search the holder's
2 electronic device.

3 c. (1) Any request for remote access to a digital driver's license
4 or digital non-driver identification card for the purposes of identity
5 verification shall:

6 (a) require the express consent of the holder;

7 (b) be limited to the content of the digital driver's license or digital
8 non-driver identification card specified in the request for remote
9 access; and

10 (c) not exceed the information available on a printed, hard-copy
11 driver's license or digital non-driver identification card.

12 (2) A holder's consent to grant remote access to the holder's digital
13 driver's license or digital non-driver identification card shall not
14 constitute consent to a search, nor shall it constitute consent for access
15 to any information other than that which is immediately available on
16 the digital driver's license or digital non-driver identification card.
17 Information incidentally obtained in the process of remotely accessing
18 a digital driver's license or digital non-driver identification card shall
19 not be used to establish probable cause for a warrant to search the
20 electronic device.¹

21
22 ¹6. (New section) a. A holder shall not be required to use a digital
23 driver's license or digital non-driver identification card instead of a
24 printed, hard-copy driver's license or printed, hard-copy non-driver
25 identification card for the purpose of identity verification nor shall the
26 holder's choice to obtain a digital driver's license or digital non-driver
27 identification card preclude the holder's use of a printed, hard-copy
28 driver's license or printed, hard-copy non-driver identification card
29 under any circumstances.

30 b. A verifier shall not:

31 (1) condition the offer or use of a good or service on the
32 presentation of a digital driver's license or digital non-driver
33 identification card instead of a printed, hard copy driver's license or
34 printed, hard-copy non-driver identification card;

35 (2) charge different prices or rates for a good or service, provide
36 preferential treatment or a different level of quality of a good or
37 service, or condition entry for or access to a good or service to any
38 person who exercises or elects not to exercise the person's rights
39 pursuant to P.L. , c. (C.) (pending before the Legislature as
40 this bill) or who presents a printed, hard-copy driver's license or
41 printed, hard-copy non-driver identification card instead of a digital
42 driver's license or digital non-driver identification card, as applicable,
43 except as reasonably necessary for conducting a transaction online or
44 through other remote means, taking into consideration available
45 technology; or

46 (3) require or request presentation of more than the minimum data
47 necessary to determine that a transaction meets legal requirements,

1 including requiring more than a binary “yes/no” attribute authorization
2 for age or other qualifications.

3 c. The provisions of section 2 of P.L.2017, c.124 (C.56:11-54)
4 shall apply to a verifier during a holder’s presentation of a digital
5 driver’s license or digital non-driver identification card, irrespective of
6 the technical means of reading the license or identification card.

7 d. A State agency or political subdivision shall not:

8 (1) condition the offer of an in-person good or service on the
9 presentation of a digital driver’s license or digital non-driver
10 identification card; or

11 (2) offer a different level of quality of an in-person good or service
12 to any person based solely on the presentation of a digital or printed,
13 hard-copy form of identification pursuant to P.L. , c. (C.)
14 (pending before the Legislature as this bill).¹

15
16 ^{17.} (New section) a. The commission shall display, on the
17 appropriate webpage on its Internet website, information concerning
18 the requirement for verifiers and digital wallet providers to report
19 cybersecurity incidents pursuant to subsection b. of this section as well
20 as information that encourages holders to remain alert for
21 cybersecurity incidents when using a digital driver’s license or digital
22 non-driver identification card.

23 b. All verifiers and digital wallet providers shall report any and all
24 cybersecurity incidents, as defined in section 1 of P.L.2023, c.19
25 (C.52:17B-193.2), to the commission in a form and manner prescribed
26 by the commission, and to the New Jersey Office of Homeland
27 Security and Preparedness consistent with the provisions of P.L.2023,
28 c.19 (C.52:17B-193.2 et seq.). The reports shall adhere to the
29 provisions of P.L.2023, c.19 (C.52:17B-193.2 et seq.).¹

30
31 ^{18.} (New section) a. No later than the last day of the second year
32 following the effective date of P.L. , c. (C.)(pending before
33 the Legislature as this bill), the commission, or an entity designated by
34 the commission, shall complete a report describing:

35 (1) the number of State residents who have obtained a digital
36 driver’s license or digital non-driver identification card;

37 (2) the number of cybersecurity incidents reported pursuant to
38 section 7 of P.L. , c. (C.) (pending before the Legislature as
39 this bill), a description of the cybersecurity incident types, and the
40 categories of verifiers that submitted cybersecurity incident reports;

41 (3) the number of incidents reported concerning a verifier taking
42 physical possession of a holder’s electronic device in violation of
43 P.L. , c. (C.) (pending before the Legislature as this bill);

44 (4) the ways in which digital driver’s licenses and digital non-
45 driver identification cards have improved the privacy of holders,
46 including the ability to decide which information is shared with
47 verifiers, and the convenience for holders;

1 (5) best practices for the operation of a digital driver's license and
 2 digital non-driver identification card system;

3 (6) recommendations for supplemental legislation to P.L. ,
 4 c. (C.) (pending before the Legislature as this bill);

5 (7) the feasibility of requiring that should any fees be assessed by
 6 the commission for the issuance of a digital driver's license or digital
 7 non-driver identification card, such fees or a portion thereof shall be
 8 deposited into a fund used to offset or reimburse individuals against
 9 whom a surcharge has been levied for certain violations or for the
 10 accumulation of points, excluding violations of R.S.39:4-50 and
 11 section 2 of P.L.1981, c.512 (C.39:4-50.4a), which individuals have
 12 incomes at or below 185 percent of the federal poverty level;

13 (8) any effect of digital driver's licenses and digital non-driver
 14 identification cards on underserved or other vulnerable populations;
 15 and

16 (9) any other information as the commission deems necessary or
 17 appropriate.

18 b. The report required pursuant to this section shall be submitted
 19 to the Governor and, pursuant to section 2 of P.L.1991, c.164
 20 (C.52:14-19.1), to the Legislature.¹

21
 22 ¹9. (New section) a. A verifier that violates any provision of
 23 section 4, 5, or 6 of P.L. , c. (C.) (pending before the
 24 Legislature as this bill) shall be subject to civil penalties as provided in
 25 subsection a. of section 3 of P.L.2017, c.124 (C.56:11-55), which may
 26 be enforced by the Attorney General by a summary proceeding
 27 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274
 28 (C.2A:58-10 et seq.).

29 b. The Attorney General may issue guidance or directives or
 30 promulgate, pursuant to the "Administrative Procedure Act,"
 31 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as the
 32 Attorney General deems necessary to effectuate the purposes of
 33 P.L. , c. (C.) (pending before the Legislature as this bill) and
 34 enforcement thereof.¹

35
 36 ¹**[2.] 10.**¹ R.S.39:3-29 is amended to read as follows:

37 39:3-29. The driver's license, the registration certificate of a
 38 motor vehicle, and an insurance identification card shall be in the
 39 possession of the driver or operator at all times when the driver or
 40 operator is in charge of a motor vehicle on the highways of this State.

41 The driver or operator shall exhibit the driver or operator's driver's
 42 license and an insurance identification card, and the holder of a
 43 registration certificate or the operator or driver of a motor vehicle for
 44 which a registration certificate has been issued, whether or not the
 45 holder, driver or operator is a resident of this State, shall also exhibit
 46 the registration certificate, when requested so to do by a police officer
 47 or judge, while in the performance of the duties of their office, and
 48 shall write the driver or operator's name in the presence of the officer,

1 so that the officer may thereby determine the identity of the licensee
2 and at the same time determine the correctness of the registration
3 certificate, as it relates to the registration number and number plates of
4 the motor vehicle for which it was issued; and the correctness of the
5 evidence of a policy of insurance, as it relates to the coverage of the
6 motor vehicle for which it was issued.

7 The '[driver's license.]' registration certificate '[.]' or insurance
8 identification card may be displayed or provided in either paper or
9 electronic form. For the purposes of this section, "electronic form"
10 means the display of images on an electronic device, such as a cellular
11 telephone, tablet, or computer.

12 'The driver's license may be displayed or provided in either
13 printed, hard-copy form or as a digital driver's license authorized
14 pursuant to P.L. , c. (C.) (pending before the Legislature as
15 this bill) and, regardless of which form, as issued by the commission.
16 If the driver's license is displayed or provided as a digital driver's
17 license, the driver's license shall be presented in such a manner that
18 there is no requirement to relinquish possession of the person's
19 electronic device, such as a cellular telephone, tablet, or computer. A
20 digital copy, photograph, or image of a driver's license that is not
21 issued by the commission as a digital driver's license and downloaded
22 on an electronic device, pursuant to the requirements of the
23 commission, shall not be a valid electronic form of a driver's license
24 under this section.'¹

25 The use of a cellular telephone, tablet, computer, or any other
26 electronic device to display the driver's license, proof of registration,
27 or proof of insurance does not constitute consent for a police officer or
28 judge to access any other contents on the device. Any police officer or
29 judge presented with an electronic device pursuant to this section shall
30 be immune from any liability resulting from damage to the device.

31 Any person violating this section shall be subject to a fine of \$150,
32 except that if the person is a driver or operator of an omnibus, as
33 defined pursuant to R.S.39:1-1, the amount of the fine shall be \$250.
34 Of the amount of any such fine collected pursuant to this paragraph,
35 \$25 shall be deposited in the Uninsured Motorist Prevention Fund
36 established by section 2 of P.L.1983, c.141 (C.39:6B-3).

37 If a person charged with a violation of this section can exhibit the
38 person's driver's license, insurance identification card, and registration
39 certificate, which were valid on the day the person was charged, to the
40 judge of the municipal court before whom the person is summoned to
41 answer to the charge, such judge may dismiss the charge. However,
42 the judge may impose court costs.¹A judge may permit a person
43 charged with a violation of this section to provide a digital copy,
44 photograph, or image of a valid driver's license, registration
45 certificate, and insurance identification card for the purposes of this
46 section and nothing in this section or in P.L. , c. (C.) (pending
47 before the Legislature as this bill) shall be construed to prohibit such
48 an allowance by a judge. Nothing in this section or in P.L. ,

1 c. (C.) (pending before the Legislature as this bill) shall be
 2 construed to prohibit a municipal prosecutor, court clerk, or court
 3 administrator from viewing a digital driver's license within the scope
 4 of their official duties related to this section.¹

5 In addition to and independent of any fine or other penalty
 6 provided for under law, the court shall impose a fine of \$150 on any
 7 driver or operator of an omnibus, convicted of a violation of this
 8 section, who does not have a certificate of public convenience and
 9 necessity as required pursuant to R.S.48:4-3. The State Treasurer shall
 10 annually deposit the monies collected from the fines imposed pursuant
 11 to this paragraph to the "Omnibus Safety Enforcement Fund"
 12 established pursuant to section 4 of P.L.2007, c.40 (C.39:3-79.23).
 13 The fine described herein shall not be deemed a fine, penalty, or
 14 forfeiture pursuant to R.S.39:5-41.

15 (cf: P.L.2021, c.258, s.2)

16
 17 ¹**[3.] 11.**¹ The Chief Administrator of the New Jersey Motor
 18 Vehicle Commission shall ¹, after consultation with the Administrative
 19 Office of the Courts and the Attorney General,¹ adopt, pursuant to the
 20 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
 21 ¹any¹ rules and regulations ¹that the chief administrator deems
 22 necessary¹ to implement the provisions of P.L. , c. (C.)
 23 (pending before the Legislature as this bill).

24
 25 ¹**[4.] 12.**¹ This act shall take effect ¹**[72] 44**¹ months after
 26 enactment, but the Chief Administrator of the New Jersey Motor
 27 Vehicle Commission ¹and the Attorney General¹ may take any
 28 administrative action in advance of that date as may be necessary for
 29 the timely implementation of this act.

30
 31
 32
 33
 34 Requires MVC to create digital driver's licenses and digital non-
 35 driver identification cards.

CHAPTER 115

AN ACT creating digital driver's licenses and digital non-driver identification cards, supplementing Title 39 of the Revised Statutes, and amending R.S.39:3-29.

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

C.39:3-10q Definitions.

1. As used in sections 1 through 7 of P.L.2025, c.115 (C.39:3-10q through 39:3-10w):

“Attribute authentication” means the ability of a digital driver's license or digital non-driver identification card to affirmatively and accurately prove to a verifier that something the holder claims about themselves is true without revealing the underlying data associated with the license or card.

“Chief administrator” means the Chief Administrator of the New Jersey Motor Vehicle Commission.

“Commission” means the New Jersey Motor Vehicle Commission.

“Digital driver's license” means a digital basic driver's license, digital motorcycle license, or digital probationary driver's license issued by the commission that is accessible on an electronic device and includes all information found on a printed, hard-copy basic driver's license, motorcycle license, or probationary driver's license issued by the commission.

“Digital non-driver identification card” means a digital non-driver identification card issued by the commission that is accessible on an electronic device and includes all information found on a printed, hard-copy non-driver identification card issued by the commission.

“Digital wallet” means an application accessed on an electronic device or accessed remotely, which application permits a holder to present a digital driver's license or digital non-driver identification card in person, online, or through other remote means.

“Electronic device” means any mobile device capable of either communication or other transmission of information and includes, but is not limited to, a cellular telephone, wireless tablet, any device with Internet capability, or other wireless communication device.

“Holder” means a person who possesses a digital driver's license or digital non-driver identification card that establishes proof of that person's identity or of some attribute or authorization that the person possesses.

“Personal information” means any information that is linked or reasonably linked to an identified or identifiable person.

“Person” means a natural person.

“Presentation” means the act of revealing all or any portion of a digital driver's license or digital non-driver identification card to a verifier.

“Selective disclosure” means the sole discretion of a holder to choose which data fields from a digital driver's license or digital non-driver identification card to disclose during a presentation, provided that the holder discloses at least those data fields that are reasonably necessary for the purpose of a presentation.

“Verification tool” means a device that is used by verifiers to exchange data with the holder's digital wallet during a presentation and to verify the authenticity of that presentation.

“Verifier” means a person or an entity that checks a holder's digital driver's license or digital non-driver identification card in order to establish proof of a holder's identity or of some attribute or authorization that the holder possesses.

C.39:3-10r Digital driver's license, non-driver identification card, voluntary request.

2. a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall create and issue, in addition to the printed, hard-copy driver's license or non-driver identification

card issued by the commission, a digital driver's license or digital non-driver identification card to a person who voluntarily requests a digital driver's license or digital non-driver identification card and who meets all requirements for the issuance of a printed, hard-copy basic driver's license, motorcycle license, probationary driver's license, or non-driver identification card, as applicable. The commission may charge and collect a reasonable fee for the issuance of either a digital driver's license or digital non-driver identification card. The commission shall retain such fee in accordance with subsection b. of section 105 of P.L.2003, c.13 (C.39:2A-36).

b. (1) The commission shall provide that the digital driver's license and digital non-driver identification card include features to ensure the security and integrity of the license and identification card and the protection of personal information, including protection against unauthorized access to such information. Such features shall ensure that:

(a) use of the digital driver's license or digital non-driver identification card does not require handing over one's electronic device to any other person or entity when using the digital driver's license or digital non-driver identification card;

(b) any remote access to the digital driver's license or digital non-driver identification card requires the express, affirmative, real-time consent of the holder of the digital driver's license or digital non-driver identification card that is being requested for each piece of information being requested and will be limited to only that information which is provided on a printed, hard-copy basic driver's license or printed, hard-copy non-driver identification card;

(c) the digital driver's license or digital non-driver identification card, as well as any mobile application required for the digital driver's license or digital non-driver identification card, does not contain or collect any information not strictly necessary for the functioning of the digital driver's license, digital non-driver identification card, or mobile application, including, but not limited to, location information;

(d) no part of the system or technology involved in a digital driver's license or digital non-driver identification card utilized by the commission will disclose any data regarding a holder's presentation of such license or identification card to the commission;

(e) the information transmitted to the digital driver's license or digital non-driver identification card, as well as any mobile application required for the digital driver's license or digital non-driver identification card, is encrypted and protected to the highest reasonable security standards that are broadly available and cannot be intercepted while being transmitted from the commission;

(f) a digital driver's license or digital non-driver identification card includes techniques and methodologies that ensure that multiple presentations of non-unique data by a holder cannot be linked together by one or more verifiers;

(g) any data exchanged between the commission and any electronic device, between the commission and the provider of any electronic device, and between any electronic device and the provider of that electronic device, shall be limited to the data necessary to display the information necessary for a digital driver's license or digital non-driver identification card;

(h) a digital driver's license or digital non-driver identification card provides for selective disclosure and allows attribute authentication, including proof of meeting the minimum age for restricted product purchases; and

(i) any contract between the commission and another entity concerning digital driver's licenses or digital non-driver identification cards prohibits the use, sharing, sale, or disclosure of any information obtained as part of the contract, including, but not limited to, any information about the holder, except as is necessary to satisfy the terms of the contract, and provides that, upon the termination or expiration of the contract, the entity shall delete any data collected or generated in the course of activities pursuant to that contract within 30 days.

(2) A process, prescribed by the chief administrator, shall provide for the issuance of digital driver's licenses and digital non-driver identification cards to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the digital driver's license and digital non-driver identification card.

c. The commission may not revoke or withdraw the holder's access to a digital driver's license or digital non-driver identification card unless the commission determines:

(1) the security or integrity of the digital driver's license or digital non-driver identification card has been compromised;

(2) the digital driver's license or digital non-driver identification card was procured in error or by fraud;

(3) the holder requests that such access be revoked or withdrawn; or

(4) the commission has grounds for revoking the holder's printed, hard-copy driver's license or printed, hard-copy non-driver identification card as otherwise provided pursuant to applicable law or regulation.

d. (1) The provisions of section 2 of P.L.1997, c.188 (C.39:2-3.4), subsection w. of R.S.39:3-10, subsection i. of section 4 of P.L.1950, c.127 (C.39:3-13.4), subsection a. of section 2 of P.L.1980, c.47 (C.39:3-29.3), and section 22 of P.L.2019, c.271 (C.39:3-10p) shall apply to digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such licenses and identification cards.

(2) A signed application for a digital driver's license or digital non-driver identification card shall constitute the applicant's informed consent for the sharing of the applicant's personal information for the sole purpose of issuing the applicant a digital driver's license or digital non-driver identification card.

e. The commission shall allow a person with a digital driver's license or a digital non-driver identification card, or a person applying for such driver's license or identification card, to update the person's motor vehicle record, including, but not limited to, a change of address and organ donor status. Such changes shall immediately become part of the person's official motor vehicle record.

f. The commission shall ensure that a digital driver's license or a digital non-driver identification card is accessible to, and usable by, persons with disabilities.

g. The commission shall, in consultation with the Attorney General, provide information on the commission's Internet website to educate the public on the availability and use of digital driver's licenses and digital non-driver identification cards.

C.39:3-10s Digital driver's license, non-driver identification card, holder's digital wallet, data selection, verification.

3. a. A digital driver's license or digital non-driver identification card shall include standard technical and administrative measures, as determined by the commission, that verifiers shall use to identify and authenticate themselves to a holder's digital wallet.

b. A digital wallet containing a New Jersey digital driver's license or digital non-driver identification card shall display to a holder which data is being requested by a verifier and the verifier's identity and shall allow the holder to select which data is and is not transmitted to the verifier.

c. A digital wallet containing a New Jersey digital driver's license or digital non-driver identification card shall keep a log of each requesting verifier, the data that was requested, and the data that was transmitted to that verifier, if any. The log shall be available exclusively to the holder, who may, at will, delete any or all of the information contained in the log.

d. A holder may carry a digital driver's license or digital non-driver identification card in any digital wallet of the holder's choice that complies with widely accepted standards for

security, including any appropriate encryption standards, consistent with P.L.2025, c.115 (C.39:3-10q et al.) and as identified by the commission or the Attorney General, as applicable.

C.39:3-10t Restrictions on retaining, use of information, digital driver's license, non-driver identification card.

4. a. No verifier or entity contracting with the commission may collect, retain, share, or use information from a digital driver's license or digital non-driver identification card for longer than what is strictly necessary for the purpose for which that information was presented.

b. No provider of a digital wallet or of a verification tool operating in this State shall access, collect, retain, share, or use personal information about a holder's digital driver's license or digital non-driver identification card or about the use of such license or identification card, except as required by State or federal law or regulation.

C.39:3-10u Holder not required to relinquish electronic device for verification, digital driver's license, non-driver identification card.

5. a. A holder shall not be required to give physical possession of the holder's electronic device to any other person or entity in order to use a digital driver's license or digital non-driver identification card for identity verification. No person or entity, including any law enforcement officer as defined in section 2 of P.L.1961, c.56 (C.52:17B-67), shall take physical possession of a holder's electronic device for the purposes of verifying the holder's identity.

b. If a holder displays or gives physical possession of the holder's electronic device to any other person or entity in order to use the license or identification card for identity verification, the display or surrender of physical possession of the holder's electronic device shall not constitute the holder's consent to a search of or the holder's consent for access to any information other than that which is immediately available on the digital driver's license or digital non-driver identification card. Information incidentally obtained in the process of viewing a digital driver's license or digital non-driver identification card to verify the identity of the holder shall not be used to establish probable cause for a warrant to search the holder's electronic device.

c. (1) Any request for remote access to a digital driver's license or digital non-driver identification card for the purposes of identity verification shall:

(a) require the express consent of the holder;

(b) be limited to the content of the digital driver's license or digital non-driver identification card specified in the request for remote access; and

(c) not exceed the information available on a printed, hard-copy driver's license or digital non-driver identification card.

(2) A holder's consent to grant remote access to the holder's digital driver's license or digital non-driver identification card shall not constitute consent to a search, nor shall it constitute consent for access to any information other than that which is immediately available on the digital driver's license or digital non-driver identification card. Information incidentally obtained in the process of remotely accessing a digital driver's license or digital non-driver identification card shall not be used to establish probable cause for a warrant to search the electronic device.

C.39:3-10v Holder not required to use digital driver's license, non-driver identification card in lieu of printed, hard copy.

6. a. A holder shall not be required to use a digital driver's license or digital non-driver identification card instead of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card for the purpose of identity verification nor shall the holder's choice to obtain a digital driver's license or digital non-driver identification card preclude the holder's use of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card under any circumstances.

b. A verifier shall not:

(1) condition the offer or use of a good or service on the presentation of a digital driver's license or digital non-driver identification card instead of a printed, hard copy driver's license or printed, hard-copy non-driver identification card;

(2) charge different prices or rates for a good or service, provide preferential treatment or a different level of quality of a good or service, or condition entry for or access to a good or service to any person who exercises or elects not to exercise the person's rights pursuant to P.L.2025, c.115 (C.39:3-10q et al.) or who presents a printed, hard-copy driver's license or printed, hard-copy non-driver identification card instead of a digital driver's license or digital non-driver identification card, as applicable, except as reasonably necessary for conducting a transaction online or through other remote means, taking into consideration available technology; or

(3) require or request presentation of more than the minimum data necessary to determine that a transaction meets legal requirements, including requiring more than a binary "yes/no" attribute authorization for age or other qualifications.

c. The provisions of section 2 of P.L.2017, c.124 (C.56:11-54) shall apply to a verifier during a holder's presentation of a digital driver's license or digital non-driver identification card, irrespective of the technical means of reading the license or identification card.

d. A State agency or political subdivision shall not:

(1) condition the offer of an in-person good or service on the presentation of a digital driver's license or digital non-driver identification card; or

(2) offer a different level of quality of an in-person good or service to any person based solely on the presentation of a digital or printed, hard-copy form of identification pursuant to P.L.2025, c.115 (C.39:3-10q et al.).

C.39:3-10w Cybersecurity incidents, verifiers, digital wallet providers required to report, information posted on commission website.

7. a. The commission shall display, on the appropriate webpage on its Internet website, information concerning the requirement for verifiers and digital wallet providers to report cybersecurity incidents pursuant to subsection b. of this section as well as information that encourages holders to remain alert for cybersecurity incidents when using a digital driver's license or digital non-driver identification card.

b. All verifiers and digital wallet providers shall report any and all cybersecurity incidents, as defined in section 1 of P.L.2023, c.19 (C.52:17B-193.2), to the commission in a form and manner prescribed by the commission, and to the New Jersey Office of Homeland Security and Preparedness consistent with the provisions of P.L.2023, c.19 (C.52:17B-193.2 et seq.). The reports shall adhere to the provisions of P.L.2023, c.19 (C.52:17B-193.2 et seq.).

8. a. No later than the last day of the second year following the effective date of P.L.2025, c.115 (C.39:3-10q et al.), the commission, or an entity designated by the commission, shall complete a report describing:

(1) the number of State residents who have obtained a digital driver's license or digital non-driver identification card;

(2) the number of cybersecurity incidents reported pursuant to section 7 of P.L.2025, c.115 (C.39:3-10w), a description of the cybersecurity incident types, and the categories of verifiers that submitted cybersecurity incident reports;

(3) the number of incidents reported concerning a verifier taking physical possession of a holder's electronic device in violation of P.L.2025, c.115 (C.39:3-10q et al.);

(4) the ways in which digital driver's licenses and digital non-driver identification cards have improved the privacy of holders, including the ability to decide which information is shared with verifiers, and the convenience for holders;

(5) best practices for the operation of a digital driver's license and digital non-driver identification card system;

(6) recommendations for supplemental legislation to P.L.2025, c.115 (C.39:3-10q et al.);

(7) the feasibility of requiring that should any fees be assessed by the commission for the issuance of a digital driver's license or digital non-driver identification card, such fees or a portion thereof shall be deposited into a fund used to offset or reimburse individuals against whom a surcharge has been levied for certain violations or for the accumulation of points, excluding violations of R.S.39:4-50 and section 2 of P.L.1981, c.512 (C.39:4-50.4a), which individuals have incomes at or below 185 percent of the federal poverty level;

(8) any effect of digital driver's licenses and digital non-driver identification cards on underserved or other vulnerable populations; and

(9) any other information as the commission deems necessary or appropriate.

b. The report required pursuant to this section shall be submitted to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

C.39:3-10x Penalties for violation; rules, regulations.

9. a. A verifier that violates any provision of section 4, 5, or 6 of P.L.2025, c.115 (C.39:3-10t, C.39:3-10u, or C.39:3-10v) shall be subject to civil penalties as provided in subsection a. of section 3 of P.L.2017, c.124 (C.56:11-55), which may be enforced by the Attorney General by a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

b. The Attorney General may issue guidance or directives or promulgate, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as the Attorney General deems necessary to effectuate the purposes of P.L.2025, c.115 (C.39:3-10q et al.) and enforcement thereof.

10. R.S.39:3-29 is amended to read as follows:

License, registration certificate and insurance identification; possession; exhibit upon request; violations; fine; defense; certain fines to Omnibus Safety Enforcement Fund.

39:3-29. The driver's license, the registration certificate of a motor vehicle, and an insurance identification card shall be in the possession of the driver or operator at all times when the driver or operator is in charge of a motor vehicle on the highways of this State.

The driver or operator shall exhibit the driver or operator's driver's license and an insurance identification card, and the holder of a registration certificate or the operator or driver of a motor vehicle for which a registration certificate has been issued, whether or not the holder, driver, or operator is a resident of this State, shall also exhibit the registration certificate when requested so to do by a police officer or judge, while in the performance of the duties of their office, and shall write the driver or operator's name in the presence of the

officer so that the officer may thereby determine the identity of the licensee and at the same time determine the correctness of the registration certificate, as it relates to the registration number and number plates of the motor vehicle for which it was issued, and the correctness of the evidence of a policy of insurance, as it relates to the coverage of the motor vehicle for which it was issued.

The registration certificate or insurance identification card may be displayed or provided in either paper or electronic form. For the purposes of this section, “electronic form” means the display of images on an electronic device, such as a cellular telephone, tablet, or computer.

The driver’s license may be displayed or provided in either printed, hard-copy form or as a digital driver’s license authorized pursuant to P.L.2025, c.115 (C.39:3-10q et al.) and, regardless of which form, as issued by the commission. If the driver’s license is displayed or provided as a digital driver’s license, the driver’s license shall be presented in such a manner that there is no requirement to relinquish possession of the person’s electronic device, such as a cellular telephone, tablet, or computer. A digital copy, photograph, or image of a driver’s license that is not issued by the commission as a digital driver’s license and downloaded on an electronic device, pursuant to the requirements of the commission, shall not be a valid electronic form of a driver’s license under this section.

The use of a cellular telephone, tablet, computer, or any other electronic device to display the driver’s license, proof of registration, or proof of insurance does not constitute consent for a police officer or judge to access any other contents on the device. Any police officer or judge presented with an electronic device pursuant to this section shall be immune from any liability resulting from damage to the device.

Any person violating this section shall be subject to a fine of \$150, except that if the person is a driver or operator of an omnibus, as defined pursuant to R.S.39:1-1, the amount of the fine shall be \$250. Of the amount of any such fine collected pursuant to this paragraph, \$25 shall be deposited in the Uninsured Motorist Prevention Fund established by section 2 of P.L.1983, c.141 (C.39:6B-3).

If a person charged with a violation of this section can exhibit the person’s driver’s license, insurance identification card, and registration certificate, which were valid on the day the person was charged, to the judge of the municipal court before whom the person is summoned to answer to the charge, such judge may dismiss the charge. However, the judge may impose court costs. A judge may permit a person charged with a violation of this section to provide a digital copy, photograph, or image of a valid driver’s license, registration certificate, and insurance identification card for the purposes of this section and nothing in this section or in P.L.2025, c.115 (C.39:3-10q et al.) shall be construed to prohibit such an allowance by a judge. Nothing in this section or in P.L.2025, c.115 (C.39:3-10q et al.) shall be construed to prohibit a municipal prosecutor, court clerk, or court administrator from viewing a digital driver’s license within the scope of their official duties related to this section.

In addition to and independent of any fine or other penalty provided for under law, the court shall impose a fine of \$150 on any driver or operator of an omnibus, convicted of a violation of this section, who does not have a certificate of public convenience and necessity as required pursuant to R.S.48:4-3. The State Treasurer shall annually deposit the monies collected from the fines imposed pursuant to this paragraph to the “Omnibus Safety Enforcement Fund” established pursuant to section 4 of P.L.2007, c.40 (C.39:3-79.23). The fine described herein shall not be deemed a fine, penalty, or forfeiture pursuant to R.S.39:5-41.

11. The Chief Administrator of the New Jersey Motor Vehicle Commission shall, after consultation with the Administrative Office of the Courts and the Attorney General, adopt, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), any

rules and regulations that the chief administrator deems necessary to implement the provisions of P.L.2025, c.115 (C.39:3-10q et al.).

12. This act shall take effect 44 months after enactment, but the Chief Administrator of the New Jersey Motor Vehicle Commission and the Attorney General may take any administrative action in advance of that date as may be necessary for the timely implementation of this act.

Approved July 23, 2025.

ASSEMBLY, No. 3518

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 5, 2024

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Rodriguez, Verrelli and Assemblywoman N.Munoz

SYNOPSIS

Requires MVC to create mobile driver's licenses and identification cards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/30/2025)

1 AN ACT creating mobile driver's licenses and identification cards,
2 supplementing Title 39 of the Revised Statutes, and amending
3 R.S.39:3-29.

4

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

7

8 1. (New section) a. As used in this section:

9 "Mobile driver's license" means an electronic basic driver's
10 license, electronic motorcycle license, or electronic probationary
11 driver's license issued by the New Jersey Motor Vehicle
12 Commission that is accessible on a mobile electronic
13 communication device and includes all information found on a
14 printed, hard-copy basic driver's license, motorcycle license, or
15 probationary driver's license issued by the commission;

16 "Mobile electronic communication device" means any mobile
17 device capable of communication or other transmission of
18 information and includes, but is not limited to, a cellular telephone,
19 wireless tablet, any device with Internet capability, or other wireless
20 communication device; and

21 "Mobile identification card" means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and
24 includes all information found on a printed, hard-copy identification
25 card issued by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue a mobile driver's license and
28 mobile identification card to an individual who voluntarily requests
29 a mobile driver's license or mobile identification card and who
30 meets all requirements for the issuance of a driver's license or
31 identification card. The commission may charge and collect a
32 reasonable fee for the issuance of a mobile driver's license and
33 mobile identification card. The commission shall retain such fee in
34 accordance with subsection b. of section 105 of P.L.2003, c.13
35 (C.39:2A-36).

36 c. The commission shall provide that the mobile driver's
37 license and mobile identification card include features to ensure the
38 security and integrity of the license and identification card. A
39 process, prescribed by the chief administrator, shall provide for the
40 issuance of mobile driver's licenses and mobile identification cards
41 to prevent and detect the alteration, duplication, counterfeiting,
42 photographing, forging, or other modification of the mobile driver's
43 license and mobile identification card.

44 d. The commission shall allow a person with a mobile driver's
45 license or a mobile identification card, or a person applying for such

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

Matter underlined thus is new matter.

1 driver's license or identification card, to update the person's motor
2 vehicle record, including, but not limited to, a change of address
3 and organ donor status. Such changes shall immediately become
4 part of the person's official motor vehicle record and shall take
5 precedence over information provided on a printed, hard-copy
6 driver's license and identification card.

7
8 2. R.S.39:3-29 is amended to read as follows:

9 39:3-29. The driver's license, the registration certificate of a
10 motor vehicle, and an insurance identification card shall be in the
11 possession of the driver or operator at all times when the driver or
12 operator is in charge of a motor vehicle on the highways of this
13 State.

14 The driver or operator shall exhibit the driver or operator's
15 driver's license and an insurance identification card, and the holder
16 of a registration certificate or the operator or driver of a motor
17 vehicle for which a registration certificate has been issued, whether
18 or not the holder, driver or operator is a resident of this State, shall
19 also exhibit the registration certificate, when requested so to do by a
20 police officer or judge, while in the performance of the duties of
21 their office, and shall write the driver or operator's name in the
22 presence of the officer, so that the officer may thereby determine
23 the identity of the licensee and at the same time determine the
24 correctness of the registration certificate, as it relates to the
25 registration number and number plates of the motor vehicle for
26 which it was issued; and the correctness of the evidence of a policy
27 of insurance, as it relates to the coverage of the motor vehicle for
28 which it was issued.

29 The driver's license, registration certificate, or insurance
30 identification card may be displayed or provided in either paper or
31 electronic form. For the purposes of this section, "electronic form"
32 means the display of images on an electronic device, such as a
33 cellular telephone, tablet, or computer.

34 The use of a cellular telephone, tablet, computer, or any other
35 electronic device to display the driver's license, proof of
36 registration, or proof of insurance does not constitute consent for a
37 police officer or judge to access any other contents on the device.
38 Any police officer or judge presented with an electronic device
39 pursuant to this section shall be immune from any liability resulting
40 from damage to the device.

41 Any person violating this section shall be subject to a fine of
42 \$150, except that if the person is a driver or operator of an omnibus,
43 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
44 \$250. Of the amount of any such fine collected pursuant to this
45 paragraph, \$25 shall be deposited in the Uninsured Motorist
46 Prevention Fund established by section 2 of P.L.1983, c.141
47 (C.39:6B-3).

1 If a person charged with a violation of this section can exhibit
2 the person's driver's license, insurance identification card, and
3 registration certificate, which were valid on the day the person was
4 charged, to the judge of the municipal court before whom the
5 person is summoned to answer to the charge, such judge may
6 dismiss the charge. However, the judge may impose court costs.

7 In addition to and independent of any fine or other penalty
8 provided for under law, the court shall impose a fine of \$150 on any
9 driver or operator of an omnibus, convicted of a violation of this
10 section, who does not have a certificate of public convenience and
11 necessity as required pursuant to R.S.48:4-3. The State Treasurer
12 shall annually deposit the monies collected from the fines imposed
13 pursuant to this paragraph to the "Omnibus Safety Enforcement
14 Fund" established pursuant to section 4 of P.L.2007, c.40
15 (C.39:3-79.23). The fine described herein shall not be deemed a
16 fine, penalty, or forfeiture pursuant to R.S.39:5-41.

17 (cf: P.L.2021, c.258, s.2)

18
19 3. The Chief Administrator of the New Jersey Motor Vehicle
20 Commission shall adopt, pursuant to the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to
22 implement the provisions of P.L. , c. (C.) (pending before
23 the Legislature as this bill).

24
25 4. This act shall take effect 72 months after enactment, but the
26 Chief Administrator of the New Jersey Motor Vehicle Commission
27 may take any administrative action in advance of that date as may
28 be necessary for the timely implementation of this act.

30 31 STATEMENT

32
33 This bill requires the Chief Administrator of the New Jersey
34 Motor Vehicle Commission (commission) to create and issue a
35 mobile driver's license and mobile identification card to an
36 individual who requests such electronic documentation. Under the
37 bill, a mobile driver's license includes a basic driver's license,
38 motorcycle license, and probationary driver's license that is
39 accessible on a mobile electronic communication device and
40 includes all information found on a printed, hard-copy version. The
41 commission may charge and collect a reasonable fee for the
42 issuance of a mobile driver's license and mobile identification card.

43 When issuing a mobile driver's license and mobile identification
44 card, the commission is required to prevent and detect the
45 alteration, duplication, counterfeiting, photographing, forging, or
46 other modification of the mobile driver's license and mobile
47 identification card. The commission is also required to include

1 features in the license and card to ensure the security and integrity
2 of these documents.

3 Under the bill, the commission is to allow a person with a mobile
4 driver's license or a mobile identification card, or a person applying
5 for such documentation, to update the person's motor vehicle
6 record. The changes are to immediately become part of the
7 person's official motor vehicle record and are to take precedence
8 over information provided on the person's printed, hard-copy
9 driver's license and identification card.

10 The bill provides that a person may possess a mobile driver's
11 license when driving a motor vehicle in this State and may exhibit a
12 mobile driver's license when requested by a police officer or judge.

[First Reprint]

ASSEMBLY, No. 3518

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 5, 2024

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Assemblymen Rodriguez, Verrelli, Assemblywomen N.Munoz, Murphy,

Assemblyman Bailey, Assemblywoman Bagolie, Assemblyman Moen,

Assemblywoman Morales, Senators Zwicker, Ruiz, Gopal, Singleton and

McKnight

SYNOPSIS

Requires MVC to create digital driver's licenses and digital non-driver identification cards.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 26, 2025, with amendments.

(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT creating ¹**[mobile]** digital¹ driver's licenses and ¹digital
2 non-driver¹ identification cards, supplementing Title 39 of the
3 Revised Statutes, and amending R.S.39:3-29.

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

7
8 ¹**[1.**(New section) a. As used in this section:

9 "Mobile driver's license" means an electronic basic driver's
10 license, electronic motorcycle license, or electronic probationary
11 driver's license issued by the New Jersey Motor Vehicle
12 Commission that is accessible on a mobile electronic
13 communication device and includes all information found on a
14 printed, hard-copy basic driver's license, motorcycle license, or
15 probationary driver's license issued by the commission;

16 "Mobile electronic communication device" means any mobile
17 device capable of communication or other transmission of
18 information and includes, but is not limited to, a cellular telephone,
19 wireless tablet, any device with Internet capability, or other wireless
20 communication device; and

21 "Mobile identification card" means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and
24 includes all information found on a printed, hard-copy identification
25 card issued by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue a mobile driver's license and
28 mobile identification card to an individual who voluntarily requests
29 a mobile driver's license or mobile identification card and who
30 meets all requirements for the issuance of a driver's license or
31 identification card. The commission may charge and collect a
32 reasonable fee for the issuance of a mobile driver's license and
33 mobile identification card. The commission shall retain such fee in
34 accordance with subsection b. of section 105 of P.L.2003, c.13
35 (C.39:2A-36).

36 c. The commission shall provide that the mobile driver's
37 license and mobile identification card include features to ensure the
38 security and integrity of the license and identification card. A
39 process, prescribed by the chief administrator, shall provide for the
40 issuance of mobile driver's licenses and mobile identification cards
41 to prevent and detect the alteration, duplication, counterfeiting,
42 photographing, forging, or other modification of the mobile driver's
43 license and mobile identification card.

44 d. The commission shall allow a person with a mobile driver's
45 license or a mobile identification card, or a person applying for such

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 26, 2025.

1 driver's license or identification card, to update the person's motor
2 vehicle record, including, but not limited to, a change of address
3 and organ donor status. Such changes shall immediately become
4 part of the person's official motor vehicle record and shall take
5 precedence over information provided on a printed, hard-copy
6 driver's license and identification card.】¹

7
8 ¹1. (New section) As used in sections 1 through 7 of P.L. ,
9 c. (C.) (pending before the Legislature as this bill):

10 "Attribute authentication" means the ability of a digital driver's
11 license or digital non-driver identification card to affirmatively and
12 accurately prove to a verifier that something the holder claims about
13 themselves is true without revealing the underlying data associated
14 with the license or card.

15 "Chief administrator" means the Chief Administrator of the
16 New Jersey Motor Vehicle Commission.

17 "Commission" means the New Jersey Motor Vehicle
18 Commission.

19 "Digital driver's license" means a digital basic driver's license,
20 digital motorcycle license, or digital probationary driver's license
21 issued by the commission that is accessible on an electronic device
22 and includes all information found on a printed, hard-copy basic
23 driver's license, motorcycle license, or probationary driver's license
24 issued by the commission.

25 "Digital non-driver identification card" means a digital non-
26 driver identification card issued by the commission that is
27 accessible on an electronic device and includes all information
28 found on a printed, hard-copy non-driver identification card issued
29 by the commission.

30 "Digital wallet" means an application accessed on an electronic
31 device or accessed remotely, which application permits a holder to
32 present a digital driver's license or digital non-driver identification
33 card in person, online, or through other remote means.

34 "Electronic device" means any mobile device capable of either
35 communication or other transmission of information and includes,
36 but is not limited to, a cellular telephone, wireless tablet, any device
37 with Internet capability, or other wireless communication device.

38 "Holder" means a person who possesses a digital driver's
39 license or digital non-driver identification card that establishes
40 proof of that person's identity or of some attribute or authorization
41 that the person possesses.

42 "Personal information" means any information that is linked or
43 reasonably linked to an identified or identifiable person.

44 "Person" means a natural person.

45 "Presentation" means the act of revealing all or any portion of a
46 digital driver's license or digital non-driver identification card to a
47 verifier.

1 “Selective disclosure” means the sole discretion of a holder to
2 choose which data fields from a digital driver’s license or digital
3 non-driver identification card to disclose during a presentation,
4 provided that the holder discloses at least those data fields that are
5 reasonably necessary for the purpose of a presentation.

6 “Verification tool” means a device that is used by verifiers to
7 exchange data with the holder’s digital wallet during a presentation
8 and to verify the authenticity of that presentation.

9 “Verifier” means a person or an entity that checks a holder’s
10 digital driver’s license or digital non-driver identification card in
11 order to establish proof of a holder’s identity or of some attribute or
12 authorization that the holder possesses.¹

13
14 ¹2. (New section) a. The Chief Administrator of the New Jersey
15 Motor Vehicle Commission shall create and issue, in addition to the
16 printed, hard-copy driver’s license or non-driver identification card
17 issued by the commission, a digital driver’s license or digital non-
18 driver identification card to a person who voluntarily requests a digital
19 driver’s license or digital non-driver identification card and who meets
20 all requirements for the issuance of a printed, hard-copy basic driver’s
21 license, motorcycle license, probationary driver’s license, or non-
22 driver identification card, as applicable. The commission may charge
23 and collect a reasonable fee for the issuance of either a digital driver’s
24 license or digital non-driver identification card. The commission shall
25 retain such fee in accordance with subsection b. of section 105 of
26 P.L.2003, c.13 (C.39:2A-36).

27 b. (1) The commission shall provide that the digital driver’s
28 license and digital non-driver identification card include features to
29 ensure the security and integrity of the license and identification card
30 and the protection of personal information, including protection
31 against unauthorized access to such information. Such features shall
32 ensure that:

33 (a) use of the digital driver’s license or digital non-driver
34 identification card does not require handing over one’s electronic
35 device to any other person or entity when using the digital driver’s
36 license or digital non-driver identification card;

37 (b) any remote access to the digital driver’s license or digital non-
38 driver identification card requires the express, affirmative, real-time
39 consent of the holder of the digital driver’s license or digital non-
40 driver identification card that is being requested for each piece of
41 information being requested and will be limited to only that
42 information which is provided on a printed, hard-copy basic driver’s
43 license or printed, hard-copy non-driver identification card;

44 (c) the digital driver’s license or digital non-driver identification
45 card, as well as any mobile application required for the digital driver’s
46 license or digital non-driver identification card, does not contain or
47 collect any information not strictly necessary for the functioning of the

1 digital driver's license, digital non-driver identification card, or mobile
2 application, including, but not limited to, location information;

3 (d) no part of the system or technology involved in a digital
4 driver's license or digital non-driver identification card utilized by the
5 commission will disclose any data regarding a holder's presentation of
6 such license or identification card to the commission;

7 (e) the information transmitted to the digital driver's license or
8 digital non-driver identification card, as well as any mobile application
9 required for the digital driver's license or digital non-driver
10 identification card, is encrypted and protected to the highest reasonable
11 security standards that are broadly available and cannot be intercepted
12 while being transmitted from the commission;

13 (f) a digital driver's license or digital non-driver identification card
14 includes techniques and methodologies that ensure that multiple
15 presentations of non-unique data by a holder cannot be linked together
16 by one or more verifiers;

17 (g) any data exchanged between the commission and any
18 electronic device, between the commission and the provider of any
19 electronic device, and between any electronic device and the provider
20 of that electronic device, shall be limited to the data necessary to
21 display the information necessary for a digital driver's license or
22 digital non-driver identification card;

23 (h) a digital driver's license or digital non-driver identification card
24 provides for selective disclosure and allows attribute authentication,
25 including proof of meeting the minimum age for restricted product
26 purchases; and

27 (i) any contract between the commission and another entity
28 concerning digital driver's licenses or digital non-driver identification
29 cards prohibits the use, sharing, sale, or disclosure of any information
30 obtained as part of the contract, including, but not limited to, any
31 information about the holder, except as is necessary to satisfy the
32 terms of the contract, and provides that, upon the termination or
33 expiration of the contract, the entity shall delete any data collected or
34 generated in the course of activities pursuant to that contract within 30
35 days.

36 (2) A process, prescribed by the chief administrator, shall provide
37 for the issuance of digital driver's licenses and digital non-driver
38 identification cards to prevent and detect the alteration, duplication,
39 counterfeiting, photographing, forging, or other modification of the
40 digital driver's license and digital non-driver identification card.

41 c. The commission may not revoke or withdraw the holder's
42 access to a digital driver's license or digital non-driver identification
43 card unless the commission determines:

44 (1) the security or integrity of the digital driver's license or digital
45 non-driver identification card has been compromised;

46 (2) the digital driver's license or digital non-driver identification
47 card was procured in error or by fraud;

1 (3) the holder requests that such access be revoked or withdrawn;
2 or

3 (4) the commission has grounds for revoking the holder's printed,
4 hard-copy driver's license or printed, hard-copy non-driver
5 identification card as otherwise provided pursuant to applicable law or
6 regulation.

7 d. (1) The provisions of section 2 of P.L.1997, c.188 (C.39:2-3.4),
8 subsection w. of R.S.39:3-10, subsection i. of section 4 of P.L.1950,
9 c.127 (C.39:3-13.4), subsection a. of section 2 of P.L.1980, c.47
10 (C.39:3-29.3), and section 22 of P.L.2019, c.271 (C.39:3-10p) shall
11 apply to digital driver's licenses, digital non-driver identification
12 cards, and the motor vehicle records associated with such licenses and
13 identification cards.

14 (2) A signed application for a digital driver's license or digital non-
15 driver identification card shall constitute the applicant's informed
16 consent for the sharing of the applicant's personal information for the
17 sole purpose of issuing the applicant a digital driver's license or digital
18 non-driver identification card.

19 e. The commission shall allow a person with a digital driver's
20 license or a digital non-driver identification card, or a person applying
21 for such driver's license or identification card, to update the person's
22 motor vehicle record, including, but not limited to, a change of address
23 and organ donor status. Such changes shall immediately become part
24 of the person's official motor vehicle record.

25 f. The commission shall ensure that a digital driver's license or a
26 digital non-driver identification card is accessible to, and usable by,
27 persons with disabilities.

28 g. The commission shall, in consultation with the Attorney
29 General, provide information on the commission's Internet website to
30 educate the public on the availability and use of digital driver's
31 licenses and digital non-driver identification cards.¹

32
33 ¹3. (New section) a. A digital driver's license or digital non-driver
34 identification card shall include standard technical and administrative
35 measures, as determined by the commission, that verifiers shall use to
36 identify and authenticate themselves to a holder's digital wallet.

37 b. A digital wallet containing a New Jersey digital driver's license
38 or digital non-driver identification card shall display to a holder which
39 data is being requested by a verifier and the verifier's identity and shall
40 allow the holder to select which data is and is not transmitted to the
41 verifier.

42 c. A digital wallet containing a New Jersey digital driver's license
43 or digital non-driver identification card shall keep a log of each
44 requesting verifier, the data that was requested, and the data that was
45 transmitted to that verifier, if any. The log shall be available
46 exclusively to the holder, who may, at will, delete any or all of the
47 information contained in the log.

1 d. A holder may carry a digital driver's license or digital non-
2 driver identification card in any digital wallet of the holder's choice
3 that complies with widely-accepted standards for security, including
4 any appropriate encryption standards, consistent with P.L. ,
5 c. (C.) (pending before the Legislature as this bill) and as
6 identified by the commission or the Attorney General, as applicable.¹

7
8 ¹4. (New section) a. No verifier or entity contracting with the
9 commission may collect, retain, share, or use information from a
10 digital driver's license or digital non-driver identification card for
11 longer than what is strictly necessary for the purpose for which that
12 information was presented.

13 b. No provider of a digital wallet or of a verification tool
14 operating in this State shall access, collect, retain, share, or use
15 personal information about a holder's digital driver's license or digital
16 non-driver identification card, or about the use of such license or
17 identification card, except as required by State or federal law or
18 regulation.¹

19
20 ¹5. (New section) a. A holder shall not be required to give
21 physical possession of the holder's electronic device to any other
22 person or entity in order to use a digital driver's license or digital non-
23 driver identification card for identity verification. No person or entity,
24 including any law enforcement officer as defined in section 2 of
25 P.L.1961, c.56 (C.52:17B-67), shall take physical possession of a
26 holder's electronic device for the purposes of verifying the holder's
27 identity.

28 b. If a holder displays or gives physical possession of the holder's
29 electronic device to any other person or entity in order to use the
30 license or identification card for identity verification, the display or
31 surrender of physical possession of the holder's electronic device shall
32 not constitute the holder's consent to a search of or the holder's
33 consent for access to any information other than that which is
34 immediately available on the digital driver's license or digital non-
35 driver identification card. Information incidentally obtained in the
36 process of viewing a digital driver's license or digital non-driver
37 identification card to verify the identity of the holder shall not be used
38 to establish probable cause for a warrant to search the holder's
39 electronic device.

40 c. (1) Any request for remote access to a digital driver's license
41 or digital non-driver identification card for the purposes of identity
42 verification shall:

43 (a) require the express consent of the holder;

44 (b) be limited to the content of the digital driver's license or digital
45 non-driver identification card specified in the request for remote
46 access; and

47 (c) not exceed the information available on a printed, hard-copy
48 driver's license or digital non-driver identification card.

1 (2) A holder's consent to grant remote access to the holder's digital
2 driver's license or digital non-driver identification card shall not
3 constitute consent to a search, nor shall it constitute consent for access
4 to any information other than that which is immediately available on
5 the digital driver's license or digital non-driver identification card.
6 Information incidentally obtained in the process of remotely accessing
7 a digital driver's license or digital non-driver identification card shall
8 not be used to establish probable cause for a warrant to search the
9 electronic device.¹

10
11 ¹6. (New section) a. A holder shall not be required to use a digital
12 driver's license or digital non-driver identification card instead of a
13 printed, hard-copy driver's license or printed, hard-copy non-driver
14 identification card for the purpose of identity verification nor shall the
15 holder's choice to obtain a digital driver's license or digital non-driver
16 identification card preclude the holder's use of a printed, hard-copy
17 driver's license or printed, hard-copy non-driver identification card
18 under any circumstances.

19 b. A verifier shall not:

20 (1) condition the offer or use of a good or service on the
21 presentation of a digital driver's license or digital non-driver
22 identification card instead of a printed, hard copy driver's license or
23 printed, hard-copy non-driver identification card;

24 (2) charge different prices or rates for a good or service, provide
25 preferential treatment or a different level of quality of a good or
26 service, or condition entry for or access to a good or service to any
27 person who exercises or elects not to exercise the person's rights
28 pursuant to P.L. , c. (C.) (pending before the Legislature as
29 this bill) or who presents a printed, hard-copy driver's license or
30 printed, hard-copy non-driver identification card instead of a digital
31 driver's license or digital non-driver identification card, as applicable,
32 except as reasonably necessary for conducting a transaction online or
33 through other remote means, taking into consideration available
34 technology; or

35 (3) require or request presentation of more than the minimum data
36 necessary to determine that a transaction meets legal requirements,
37 including requiring more than a binary "yes/no" attribute authorization
38 for age or other qualifications.

39 c. The provisions of section 2 of P.L.2017, c.124 (C.56:11-54)
40 shall apply to a verifier during a holder's presentation of a digital
41 driver's license or digital non-driver identification card, irrespective of
42 the technical means of reading the license or identification card.

43 d. A State agency or political subdivision shall not:

44 (1) condition the offer of an in-person good or service on the
45 presentation of a digital driver's license or digital non-driver
46 identification card; or

47 (2) offer a different level of quality of an in-person good or service
48 to any person based solely on the presentation of a digital or printed,

1 hard-copy form of identification pursuant to P.L. , c. (C.)
2 (pending before the Legislature as this bill).¹

3
4 ¹7. (New section) a. The commission shall display, on the
5 appropriate webpage on its Internet website, information concerning
6 the requirement for verifiers and digital wallet providers to report
7 cybersecurity incidents pursuant to subsection b. of this section as well
8 as information that encourages holders to remain alert for
9 cybersecurity incidents when using a digital driver's license or digital
10 non-driver identification card.

11 b. All verifiers and digital wallet providers shall report any and all
12 cybersecurity incidents, as defined in section 1 of P.L.2023, c.19
13 (C.52:17B-193.2), to the commission in a form and manner prescribed
14 by the commission, and to the New Jersey Office of Homeland
15 Security and Preparedness consistent with the provisions of P.L.2023,
16 c.19 (C.52:17B-193.2 et seq.). The reports shall adhere to the
17 provisions of P.L.2023, c.19 (C.52:17B-193.2 et seq.).¹

18
19 ¹8. (New section) a. No later than the last day of the second year
20 following the effective date of P.L. , c. (C.)(pending before
21 the Legislature as this bill), the commission, or an entity designated by
22 the commission, shall complete a report describing:

23 (1) the number of State residents who have obtained a digital
24 driver's license or digital non-driver identification card;

25 (2) the number of cybersecurity incidents reported pursuant to
26 section 7 of P.L. , c. (C.) (pending before the Legislature as
27 this bill), a description of the cybersecurity incident types, and the
28 categories of verifiers that submitted cybersecurity incident reports;

29 (3) the number of incidents reported concerning a verifier taking
30 physical possession of a holder's electronic device in violation of
31 P.L. , c. (C.) (pending before the Legislature as this bill);

32 (4) the ways in which digital driver's licenses and digital non-
33 driver identification cards have improved the privacy of holders,
34 including the ability to decide which information is shared with
35 verifiers, and the convenience for holders;

36 (5) best practices for the operation of a digital driver's license and
37 digital non-driver identification card system;

38 (6) recommendations for supplemental legislation to P.L. ,
39 c. (C.) (pending before the Legislature as this bill);

40 (7) the feasibility of requiring that should any fees be assessed by
41 the commission for the issuance of a digital driver's license or digital
42 non-driver identification card, such fees or a portion thereof shall be
43 deposited into a fund used to offset or reimburse individuals against
44 whom a surcharge has been levied for certain violations or for the
45 accumulation of points, excluding violations of R.S.39:4-50 and
46 section 2 of P.L.1981, c.512 (C.39:4-50.4a), which individuals have
47 incomes at or below 185 percent of the federal poverty level;

1 (8) any effect of digital driver's licenses and digital non-driver
2 identification cards on underserved or other vulnerable populations;
3 and

4 (9) any other information as the commission deems necessary or
5 appropriate.

6 b. The report required pursuant to this section shall be submitted
7 to the Governor and, pursuant to section 2 of P.L.1991, c.164
8 (C.52:14-19.1), to the Legislature.¹

10 ¹9. (New section) a. A verifier that violates any provision of
11 section 4, 5, or 6 of P.L. , c. (C.) (pending before the
12 Legislature as this bill) shall be subject to civil penalties as provided in
13 subsection a. of section 3 of P.L.2017, c.124 (C.56:11-55), which may
14 be enforced by the Attorney General by a summary proceeding
15 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274
16 (C.2A:58-10 et seq.).

17 b. The Attorney General may issue guidance or directives or
18 promulgate, pursuant to the "Administrative Procedure Act,"
19 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as the
20 Attorney General deems necessary to effectuate the purposes of
21 P.L. , c. (C.) (pending before the Legislature as this bill) and
22 enforcement thereof.¹

24 ¹**[2.] 10.**¹ R.S.39:3-29 is amended to read as follows:

25 39:3-29. The driver's license, the registration certificate of a
26 motor vehicle, and an insurance identification card shall be in the
27 possession of the driver or operator at all times when the driver or
28 operator is in charge of a motor vehicle on the highways of this State.

29 The driver or operator shall exhibit the driver or operator's driver's
30 license and an insurance identification card, and the holder of a
31 registration certificate or the operator or driver of a motor vehicle for
32 which a registration certificate has been issued, whether or not the
33 holder, driver or operator is a resident of this State, shall also exhibit
34 the registration certificate, when requested so to do by a police officer
35 or judge, while in the performance of the duties of their office, and
36 shall write the driver or operator's name in the presence of the officer,
37 so that the officer may thereby determine the identity of the licensee
38 and at the same time determine the correctness of the registration
39 certificate, as it relates to the registration number and number plates of
40 the motor vehicle for which it was issued; and the correctness of the
41 evidence of a policy of insurance, as it relates to the coverage of the
42 motor vehicle for which it was issued.

43 The ¹**[driver's license.]**¹ registration certificate ¹**[.]**¹ or insurance
44 identification card may be displayed or provided in either paper or
45 electronic form. For the purposes of this section, "electronic form"
46 means the display of images on an electronic device, such as a cellular
47 telephone, tablet, or computer.

1 ¹The driver's license may be displayed or provided in either
2 printed, hard-copy form or as a digital driver's license authorized
3 pursuant to P.L. , c. (C.) (pending before the Legislature as
4 this bill) and, regardless of which form, as issued by the commission.
5 If the driver's license is displayed or provided as a digital driver's
6 license, the driver's license shall be presented in such a manner that
7 there is no requirement to relinquish possession of the person's
8 electronic device, such as a cellular telephone, tablet, or computer. A
9 digital copy, photograph, or image of a driver's license that is not
10 issued by the commission as a digital driver's license and downloaded
11 on an electronic device, pursuant to the requirements of the
12 commission, shall not be a valid electronic form of a driver's license
13 under this section.¹

14 The use of a cellular telephone, tablet, computer, or any other
15 electronic device to display the driver's license, proof of registration,
16 or proof of insurance does not constitute consent for a police officer or
17 judge to access any other contents on the device. Any police officer or
18 judge presented with an electronic device pursuant to this section shall
19 be immune from any liability resulting from damage to the device.

20 Any person violating this section shall be subject to a fine of \$150,
21 except that if the person is a driver or operator of an omnibus, as
22 defined pursuant to R.S.39:1-1, the amount of the fine shall be \$250.
23 Of the amount of any such fine collected pursuant to this paragraph,
24 \$25 shall be deposited in the Uninsured Motorist Prevention Fund
25 established by section 2 of P.L.1983, c.141 (C.39:6B-3).

26 If a person charged with a violation of this section can exhibit the
27 person's driver's license, insurance identification card, and registration
28 certificate, which were valid on the day the person was charged, to the
29 judge of the municipal court before whom the person is summoned to
30 answer to the charge, such judge may dismiss the charge. However,
31 the judge may impose court costs.¹A judge may permit a person
32 charged with a violation of this section to provide a digital copy,
33 photograph, or image of a valid driver's license, registration
34 certificate, and insurance identification card for the purposes of this
35 section and nothing in this section or in P.L. , c. (C.) (pending
36 before the Legislature as this bill) shall be construed to prohibit such
37 an allowance by a judge. Nothing in this section or in P.L. ,
38 c. (C.) (pending before the Legislature as this bill) shall be
39 construed to prohibit a municipal prosecutor, court clerk, or court
40 administrator from viewing a digital driver's license within the scope
41 of their official duties related to this section.¹

42 In addition to and independent of any fine or other penalty
43 provided for under law, the court shall impose a fine of \$150 on any
44 driver or operator of an omnibus, convicted of a violation of this
45 section, who does not have a certificate of public convenience and
46 necessity as required pursuant to R.S.48:4-3. The State Treasurer shall
47 annually deposit the monies collected from the fines imposed pursuant
48 to this paragraph to the "Omnibus Safety Enforcement Fund"

1 established pursuant to section 4 of P.L.2007, c.40 (C.39:3-79.23).
2 The fine described herein shall not be deemed a fine, penalty, or
3 forfeiture pursuant to R.S.39:5-41.
4 (cf: P.L.2021, c.258, s.2)
5

6 ¹**[3.] 11.**¹ The Chief Administrator of the New Jersey Motor
7 Vehicle Commission shall ¹, after consultation with the Administrative
8 Office of the Courts and the Attorney General,¹ adopt, pursuant to the
9 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.),
10 ¹any¹ rules and regulations ¹that the chief administrator deems
11 necessary¹ to implement the provisions of P.L. , c. (C.)
12 (pending before the Legislature as this bill).
13

14 ¹**[4.] 12.**¹ This act shall take effect ¹**[72] 44**¹ months after
15 enactment, but the Chief Administrator of the New Jersey Motor
16 Vehicle Commission ¹and the Attorney General¹ may take any
17 administrative action in advance of that date as may be necessary for
18 the timely implementation of this act.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3518

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Assembly Budget Committee reports favorably and with committee amendments Assembly Bill No. 3518.

As amended and reported, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (commission) to create and issue, in addition to the printed, hard-copy driver's license or non-driver identification card issued by the commission, a digital driver's license or digital non-driver identification card to any individual who voluntarily requests such electronic documentation and who meets all requirements for the issuance of a basic driver's license, motorcycle license, probationary license, or non-driver identification card, as applicable. The commission may charge and collect a reasonable fee for the issuance of either a digital driver's license or digital non-driver identification card pursuant to current law.

When issuing a digital driver's license or digital non-driver identification card, the commission is required to ensure the security and integrity of the license and identification card to protect each holder's personal information, including protection against unauthorized access to such information. The chief administrator is to prescribe a process for the issuance of digital driver's licenses and digital non-driver identification cards to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the digital driver's license and digital non-driver identification card.

The commission is not to revoke or withdraw an individual's access to a digital driver's license or digital non-driver identification card unless certain criteria are met, as outlined in the bill. The bill also requires digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such electronic documentation to comply with certain provisions of current law concerning basic driver's licenses and identification cards.

A signed application for a digital driver's license or digital non-driver identification card constitutes the applicant's informed consent for the sharing of the applicant's personal information for the sole purpose of issuing the applicant a digital driver's license or

digital non-driver identification card. The commission is to allow a person with a digital driver's license or a digital non-driver identification card, or a person applying for such driver's license or identification card, to update the person's motor vehicle record, including, but not limited to, a change of address and organ donor status. Such changes are to immediately become part of the person's official motor vehicle record. Additionally, the commission is to ensure that a digital driver's license or a digital non-driver identification card is accessible to and usable by persons with disabilities and, in consultation with the Attorney General, to provide information on its Internet website to educate the public as to the availability and use of digital driver's licenses and digital non-driver identification cards.

In addition, the bill requires that a digital driver's license or digital non-driver identification card include standard technical and administrative measures that verifiers are to use to identify and authenticate themselves to a holder's digital wallet. A digital wallet containing a New Jersey digital driver's license or digital non-driver identification card is to display to a holder which data is being requested by a verifier and the verifier's identity and then allow the holder to select which data is and is not transmitted to the verifier. The digital wallet is to keep a log of each requesting verifier, the data that was requested, and the data that was transmitted to that verifier, if any. The log is to be available exclusively to the holder, who may, at will, delete any or all of the information contained in the log. Additionally, a holder may carry a digital driver's license or digital non-driver identification card in any digital wallet of the holder's choice that complies with widely-accepted standards for security, including any appropriate encryption standards as identified by the commission or the Attorney General, as appropriate.

Under the bill, no verifier or entity contracting with the commission may collect, retain, share, or use information from a digital driver's license or digital non-driver identification card for longer than what is strictly necessary for the purpose for which that information was presented. No provider of a digital wallet or of a verification tool operating in the State is to access, collect, retain, share, or use identifiable data about a holder's digital driver's license or digital non-driver identification card, or about the use of such electronic documentation, except as required by State or federal law or regulation.

A holder of a digital driver's license or digital non-driver identification card is not required to give physical possession of the holder's electronic device to any other person or entity in order to use such electronic documentation for identity verification. No person or entity, including any law enforcement officer, is to take

physical possession of a holder's electronic device for purposes of verifying the holder's identity.

Under the bill, if a holder displays or gives physical possession of their electronic device to any other person or entity in order to use the digital driver's license or digital non-driver identification card for identity verification, the display or surrender of physical possession is not to constitute the holder's consent to a search or the holder's consent for access to any information other than that which is immediately available on such electronic documentation. Information incidentally obtained in the process of viewing a digital driver's license or digital non-driver identification card to verify the identity of the holder is not to be used to establish probable cause for a warrant to search the holder's electronic device. Any request for remote access to a digital driver's license or digital non-driver identification card for the purposes of identity verification is to comply with specific provisions as outlined in the bill. A holder's consent to grant remote access to the holder's digital driver's license or digital non-driver identification card is not to constitute consent to a search, nor is it to constitute consent for access to any information other than that which is immediately available on such electronic documentation. Information incidentally obtained in the process of remotely accessing a digital driver's license or digital non-driver identification card is not to be used to establish probable cause for a warrant to search the electronic device.

The holder of a digital driver's license or digital non-driver identification card is not required to use such electronic documentation instead of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card for the purpose of identity verification. The holder's choice to obtain a digital driver's license or digital non-driver identification card does not preclude the holder's use of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card under any circumstances.

The commission is required to display on the appropriate webpage on its Internet website information concerning the requirement for verifiers and digital wallet providers to report cybersecurity incidents as well as information that encourages residents to remain alert for cybersecurity incidents when using a digital driver's license or digital non-driver identification card. All verifiers and digital wallet providers are required to report any and all cybersecurity incidents to the commission in a form and manner prescribed by the commission and to the New Jersey Office of Homeland Security and Preparedness.

Under the bill, the commission or an entity designated by the commission is required to issue a report to the Governor and to the Legislature prior to the end of second year following the bill's enactment certain information outlined in the bill.

The bill imposes certain restrictions on a verifier and provides that a verifier that violates the bill's provisions is to be subject to certain civil penalties.

The bill amends current law to provide that a driver's license may be displayed or provided in either printed, hard-copy form or as a digital driver's license and, regardless of which form, as issued by the commission. If the driver's license is displayed or provided as a digital driver's license, the driver's license is to be presented in such a manner that there is no requirement to relinquish possession of the person's electronic device. A digital copy, photograph, or image of a driver's license that is not issued by the commission as a digital driver's license and downloaded on an electronic device, pursuant to the requirements of the commission, is not to be deemed a valid electronic form of a driver's license. A judge may permit a person to provide a digital copy, photograph, or image of that person's valid driver's license, registration, and insurance card in certain circumstances. Nothing in the bill is to be construed to prohibit a municipal prosecutor, court clerk, or court administrator from viewing a digital driver's license within the scope of their official duties.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define "attribute authentication," "chief administrator," "commission," "digital driver's license," "digital non-driver identification card," "digital wallet," "electronic device," "holder," "personal information," "person," "presentation," "selective disclosure," "verification tool," and "verifier";

(2) remove definitions for "mobile driver's license," "mobile electronic communication device," and "mobile identification card";

(3) replace references to "mobile driver's license" with "digital driver's license" and replace references to "mobile identification card" with "digital non-driver identification card" throughout the bill;

(4) require the commission to equip digital driver's licenses and digital non-driver identification cards with certain features outlined in the bill to ensure the security and integrity of such electronic documentation in order to protect a holder's personal information;

(5) prohibit the commission from revoking or withdrawing a holder's access to a digital driver's license or digital non-driver identification card unless the commission makes certain determinations;

(6) expand specific provisions of law to include digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such electronic documentation;

(7) provide that a signed application for a digital driver's license or digital non-driver identification card constitutes the applicant's informed consent for the sharing of the applicant's personal

information for the sole purpose of issuing the applicant such electronic documentation;

(9) provide that the commission is to ensure that digital driver's licenses and digital non-driver identification cards are accessible to and usable by persons with disabilities;

(10) require the commission, in consultation with the Attorney General, to provide information on its Internet website to educate the public as to the availability and use of digital driver's licenses and digital non-driver identification cards;

(11) provide that a digital driver's license or digital non-driver identification card is to include standard technical and administrative measures that verifiers are to use to identify and authenticate themselves to a holder's digital wallet;

(12) require a digital wallet that holds a digital driver's license or digital non-driver identification card to display to a holder which data is being requested by a verifier, display to a holder the verifier's identity, and allow the holder to select which data is and is not transmitted to the verifier;

(13) require a digital wallet that holds a digital driver's license or digital non-driver identification card to keep a log of each requesting verifier, the data that was requested, and the data that was transmitted, if any;

(14) provide that the log kept by a digital wallet, as required under the bill, is to be available exclusively to the holder, who may, at will, delete any or all of the information contained in the digital wallet;

(15) permit a holder to carry a digital driver's license or digital non-driver identification card in any digital wallet of the holder's choice, provided that the digital wallet complies with widely-accepted standards for security, including appropriate encryption standards as determined by the commission or the Attorney General, as appropriate;

(16) prohibit a verifier or an entity contracting with the commission from collecting, retaining, sharing, or using information from a digital driver's license or digital non-driver identification card for longer than what is strictly necessary for the purpose for which that information was presented;

(17) prohibit a provider of a digital wallet or of a verification tool operating in the State from accessing, collecting, retaining, sharing, or using identifiable data about a holder's digital driver's license or digital non-driver identification card, or about the use of such electronic documentation, except as required by State or federal law or regulation;

(18) provide that the holder of a digital driver's license or digital non-driver identification card is not required to give physical possession of their electronic device to any other person or entity in order to use such electronic documentation for identity verification and that no person or entity, including any law enforcement officer, is to

take physical possession of a holder's electronic device for purposes of verifying the holder's identity;

(19) provide that, if a holder displays or gives physical possession of the holder's electronic device to any other person or entity in order to use a digital driver's license or digital non-driver identification card for identity verification or provides consent to grant remote access to such electronic documentation, the display, surrender, or consent to remote access is not to constitute the holder's consent to a search or access to any information other than that which is immediately available on such electronic documentation;

(20) provide that any information incidentally obtained from a digital driver's license or digital non-driver identification card by a person or entity while viewing such electronic documentation for the purposes of identity verification is not to be used to establish probable cause for a warrant to search the holder's electronic device;

(21) provide that any request for remote access to a digital driver's license or digital non-driver identification card for the purposes of identity verification is to comply with certain requirements;

(22) clarify that a holder is not required to use a digital driver's license or digital non-driver identification card instead of a printed, hard-copy license or identification card for the purpose of identity verification and that the holder's choice to obtain such electronic documentation does not preclude the holder's use of a printed, hard-copy license or identification card under any circumstances;

(23) establish certain restrictions on verifiers as outlined in the bill;

(24) prohibit a State agency or political subdivision from taking certain actions outlined in the bill;

(25) require the commission to display certain information about cybersecurity on its Internet website and to require certain persons to report all cybersecurity incidents to the commission and to the New Jersey Office of Homeland Security and Preparedness;

(26) require the commission, or a designee, to submit a report to the Governor and the Legislature describing items outlined in the bill;

(27) authorize judges to permit a person charged with violating certain provisions of the bill to provide a digital copy, photograph, or image of that person's valid driver's license, registration, and insurance card;

(28) provide that nothing in the bill is to prohibit a municipal prosecutor, court clerk, or court administrator from viewing a digital driver's license within the scope of their official duties;

(29) provide that a verifier that violates provisions of the bill is to be subject to civil penalties and authorize the Attorney General to issue guidance or directives or promulgate rules and regulations to effectuate the purposes and enforcement of the bill;

(30) permit a driver's license to be displayed to police officers or judges as a digital driver's license rather than displayed in electronic form;

(31) clarify that the rules and regulations implemented by the chief administrator are to be those that the chief administrator deems necessary after consulting with the Administrative Office of the Courts and the Attorney General;

(32) change the effective date of the bill from 72 months to 44 months; and

(33) revise the bill's title and synopsis.

FISCAL IMPACT:

Fiscal information is not available at this time.

SENATE, No. 1297

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Senators Zwicker and Ruiz

SYNOPSIS

Requires MVC to create mobile driver's licenses and identification cards.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/25/2024)

1 **AN ACT** creating mobile driver’s licenses and identification cards,
2 supplementing Title 39 of the Revised Statutes, and amending
3 R.S.39:3-29.

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

7
8 1. (New section) a. As used in this section:

9 “Mobile driver’s license” means an electronic basic driver’s
10 license, electronic motorcycle license, or electronic probationary
11 driver’s license issued by the New Jersey Motor Vehicle
12 Commission that is accessible on a mobile electronic
13 communication device and includes all information found on a
14 printed, hard-copy basic driver’s license, motorcycle license, or
15 probationary driver’s license issued by the commission;

16 “Mobile electronic communication device” means any mobile
17 device capable of communication or other transmission of
18 information and includes, but is not limited to, a cellular telephone,
19 wireless tablet, any device with Internet capability, or other wireless
20 communication device; and

21 “Mobile identification card” means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and
24 includes all information found on a printed, hard-copy identification
25 card issued by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue a mobile driver’s license and
28 mobile identification card to an individual who voluntarily requests
29 a mobile driver’s license or mobile identification card and who
30 meets all requirements for the issuance of a driver’s license or
31 identification card. The commission may charge and collect a
32 reasonable fee for the issuance of a mobile driver’s license and
33 mobile identification card. The commission shall retain such fee in
34 accordance with subsection b. of section 105 of P.L.2003, c.13
35 (C.39:2A-36).

36 c. The commission shall provide that the mobile driver’s
37 license and mobile identification card include features to ensure the
38 security and integrity of the license and identification card. A
39 process, prescribed by the chief administrator, shall provide for the
40 issuance of mobile driver’s licenses and mobile identification cards
41 to prevent and detect the alteration, duplication, counterfeiting,
42 photographing, forging, or other modification of the mobile driver’s
43 license and mobile identification card.

44 d. The commission shall allow a person with a mobile driver’s
45 license or a mobile identification card, or a person applying for such

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

Matter underlined thus is new matter.

1 driver's license or identification card, to update the person's motor
2 vehicle record, including, but not limited to, a change of address
3 and organ donor status. Such changes shall immediately become
4 part of the person's official motor vehicle record and shall take
5 precedence over information provided on a printed, hard-copy
6 driver's license and identification card.

7
8 2. R.S.39:3-29 is amended to read as follows:

9 39:3-29. The driver's license, the registration certificate of a
10 motor vehicle, and an insurance identification card shall be in the
11 possession of the driver or operator at all times when the driver or
12 operator is in charge of a motor vehicle on the highways of this
13 State.

14 The driver or operator shall exhibit the driver or operator's
15 driver's license and an insurance identification card, and the holder
16 of a registration certificate or the operator or driver of a motor
17 vehicle for which a registration certificate has been issued, whether
18 or not the holder, driver or operator is a resident of this State, shall
19 also exhibit the registration certificate, when requested so to do by a
20 police officer or judge, while in the performance of the duties of
21 their office, and shall write the driver or operator's name in the
22 presence of the officer, so that the officer may thereby determine
23 the identity of the licensee and at the same time determine the
24 correctness of the registration certificate, as it relates to the
25 registration number and number plates of the motor vehicle for
26 which it was issued; and the correctness of the evidence of a policy
27 of insurance, as it relates to the coverage of the motor vehicle for
28 which it was issued.

29 The driver's license, registration certificate, or insurance
30 identification card may be displayed or provided in either paper or
31 electronic form. For the purposes of this section, "electronic form"
32 means the display of images on an electronic device, such as a
33 cellular telephone, tablet, or computer.

34 The use of a cellular telephone, tablet, computer, or any other
35 electronic device to display the driver's license, proof of
36 registration, or proof of insurance does not constitute consent for a
37 police officer or judge to access any other contents on the device.
38 Any police officer or judge presented with an electronic device
39 pursuant to this section shall be immune from any liability resulting
40 from damage to the device.

41 Any person violating this section shall be subject to a fine of
42 \$150, except that if the person is a driver or operator of an omnibus,
43 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
44 \$250. Of the amount of any such fine collected pursuant to this
45 paragraph, \$25 shall be deposited in the Uninsured Motorist
46 Prevention Fund established by section 2 of P.L.1983, c.141
47 (C.39:6B-3).

1 If a person charged with a violation of this section can exhibit
2 the person's driver's license, insurance identification card, and
3 registration certificate, which were valid on the day the person was
4 charged, to the judge of the municipal court before whom the
5 person is summoned to answer to the charge, such judge may
6 dismiss the charge. However, the judge may impose court costs.

7 In addition to and independent of any fine or other penalty
8 provided for under law, the court shall impose a fine of \$150 on any
9 driver or operator of an omnibus, convicted of a violation of this
10 section, who does not have a certificate of public convenience and
11 necessity as required pursuant to R.S.48:4-3. The State Treasurer
12 shall annually deposit the monies collected from the fines imposed
13 pursuant to this paragraph to the "Omnibus Safety Enforcement
14 Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-
15 79.23). The fine described herein shall not be deemed a fine,
16 penalty, or forfeiture pursuant to R.S.39:5-41.

17 (cf: P.L.2021, c.258, s.2)
18

19 3. The Chief Administrator of the New Jersey Motor Vehicle
20 Commission shall adopt, pursuant to the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to
22 implement the provisions of P.L. , c. (C.) (pending before
23 the Legislature as this bill).
24

25 4. This act shall take effect 72 months after enactment, but the
26 Chief Administrator of the New Jersey Motor Vehicle Commission
27 may take any administrative action in advance of that date as may
28 be necessary for the timely implantation of this act.
29
30

31 STATEMENT 32

33 This bill requires the Chief Administrator of the New Jersey
34 Motor Vehicle Commission (commission) to create and issue a
35 mobile driver's license and mobile identification card to an
36 individual who requests such electronic documentation. Under the
37 bill, a mobile driver's license includes a basic driver's license,
38 motorcycle license, and probationary driver's license that is
39 accessible on a mobile electronic communication device and
40 includes all information found on a printed, hard-copy version. The
41 commission may charge and collect a reasonable fee for the
42 issuance of a mobile driver's license and mobile identification card.

43 When issuing a mobile driver's license and mobile identification
44 card, the commission is required to prevent and detect the
45 alteration, duplication, counterfeiting, photographing, forging, or
46 other modification of the mobile driver's license and mobile
47 identification card. The commission is also required to include

1 features in the license and card to ensure the security and integrity
2 of these documents.

3 Under the bill, the commission is to allow a person with a mobile
4 driver's license or a mobile identification card, or a person applying
5 for such documentation, to update the person's motor vehicle
6 record. The changes are to immediately become part of the
7 person's official motor vehicle record and are to take precedence
8 over information provided on the person's printed, hard-copy
9 driver's license and identification card.

10 The bill provides that a person may possess a mobile driver's
11 license when driving a motor vehicle in this State and may exhibit a
12 mobile driver's license when requested by a police officer or judge.

[First Reprint]

SENATE, No. 1297

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Senators Zwicker, Ruiz, Gopal, Singleton and McKnight

SYNOPSIS

Requires MVC to create mobile driver's licenses and identification cards.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on October 7, 2024, with amendments.



(Sponsorship Updated As Of: 6/23/2025)

1 AN ACT creating mobile driver's licenses and identification cards,
2 supplementing Title 39 of the Revised Statutes, and amending
3 R.S.39:3-29.
4

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

8 1. (New section) a. As used in this section:

9 "Mobile driver's license" means an electronic basic driver's
10 license, electronic motorcycle license, or electronic probationary
11 driver's license issued by the New Jersey Motor Vehicle Commission
12 that is accessible on a mobile electronic communication device and
13 includes all information found on a printed, hard-copy basic driver's
14 license, motorcycle license, or probationary driver's license issued by
15 the commission;

16 "Mobile electronic communication device" means any mobile
17 device capable of communication or other transmission of information
18 and includes, but is not limited to, a cellular telephone, wireless tablet,
19 any device with Internet capability, or other wireless communication
20 device; and

21 "Mobile identification card" means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and includes
24 all information found on a printed, hard-copy identification card issued
25 by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue ¹, in addition to the printed, hard-
28 copy driver's license or identification card issued by the commission,¹
29 a mobile driver's license ¹**[and]** or¹ mobile identification card to an
30 individual who voluntarily requests a mobile driver's license or mobile
31 identification card and who meets all requirements for the issuance of
32 a driver's license or identification card. The commission may charge
33 and collect a reasonable fee for the issuance of a mobile driver's
34 license ¹**[and]** or¹ mobile identification card. The commission shall
35 retain such fee in accordance with subsection b. of section 105 of
36 P.L.2003, c.13 (C.39:2A-36).

37 c. The commission shall provide that the mobile driver's license
38 and mobile identification card include features to ensure the security
39 and integrity of the license and identification card. A process,
40 prescribed by the chief administrator, shall provide for the issuance of
41 mobile driver's licenses and mobile identification cards to prevent and
42 detect the alteration, duplication, counterfeiting, photographing,
43 forging, or other modification of the mobile driver's license and
44 mobile identification card.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted October 7, 2024.

1 d. The commission shall allow a person with a mobile driver's
2 license or a mobile identification card, or a person applying for such
3 driver's license or identification card, to update the person's motor
4 vehicle record, including, but not limited to, a change of address and
5 organ donor status. Such changes shall immediately become part of
6 the person's official motor vehicle record ¹and shall take precedence
7 over information provided on a printed, hard-copy driver's license and
8 identification card¹.

9
10 2. R.S.39:3-29 is amended to read as follows:

11 39:3-29. The driver's license, the registration certificate of a
12 motor vehicle, and an insurance identification card shall be in the
13 possession of the driver or operator at all times when the driver or
14 operator is in charge of a motor vehicle on the highways of this State.

15 The driver or operator shall exhibit the driver or operator's driver's
16 license and an insurance identification card, and the holder of a
17 registration certificate or the operator or driver of a motor vehicle for
18 which a registration certificate has been issued, whether or not the
19 holder, driver or operator is a resident of this State, shall also exhibit
20 the registration certificate, when requested so to do by a police officer
21 or judge, while in the performance of the duties of their office, and
22 shall write the driver or operator's name in the presence of the officer,
23 so that the officer may thereby determine the identity of the licensee
24 and at the same time determine the correctness of the registration
25 certificate, as it relates to the registration number and number plates of
26 the motor vehicle for which it was issued; and the correctness of the
27 evidence of a policy of insurance, as it relates to the coverage of the
28 motor vehicle for which it was issued.

29 The ¹driver's license, registration certificate ¹or insurance
30 identification card may be displayed or provided in either paper or
31 electronic form. For the purposes of this section, "electronic form"
32 means the display of images on an electronic device, such as a cellular
33 telephone, tablet, or computer.

34 ¹The driver's license may be displayed or provided in either
35 printed, hard-copy form or electronic form. If the driver's license is
36 displayed or provided in electronic form, the driver's license shall
37 be presented in such a manner that there is no requirement to
38 display or relinquish possession of the person's electronic device,
39 such as a cellular telephone, tablet, or computer. A digital copy,
40 photograph, or image of a driver's license that is not issued by the
41 commission as a mobile driver's license and downloaded on a
42 mobile electronic communication device, pursuant to the
43 requirements of the commission, shall not be a valid electronic form
44 of a driver's license under this section.¹

45 The use of a cellular telephone, tablet, computer, or any other
46 electronic device to display the driver's license, proof of registration,
47 or proof of insurance does not constitute consent for a police officer or

1 judge to access any other contents on the device. Any police officer or
2 judge presented with an electronic device pursuant to this section shall
3 be immune from any liability resulting from damage to the device.

4 Any person violating this section shall be subject to a fine of \$150,
5 except that if the person is a driver or operator of an omnibus, as
6 defined pursuant to R.S.39:1-1, the amount of the fine shall be \$250.
7 Of the amount of any such fine collected pursuant to this paragraph,
8 \$25 shall be deposited in the Uninsured Motorist Prevention Fund
9 established by section 2 of P.L.1983, c.141 (C.39:6B-3).

10 If a person charged with a violation of this section can exhibit the
11 person's driver's license, insurance identification card, and registration
12 certificate, which were valid on the day the person was charged, to the
13 judge of the municipal court before whom the person is summoned to
14 answer to the charge, such judge may dismiss the charge. However,
15 the judge may impose court costs.

16 In addition to and independent of any fine or other penalty
17 provided for under law, the court shall impose a fine of \$150 on any
18 driver or operator of an omnibus, convicted of a violation of this
19 section, who does not have a certificate of public convenience and
20 necessity as required pursuant to R.S.48:4-3. The State Treasurer shall
21 annually deposit the monies collected from the fines imposed pursuant
22 to this paragraph to the "Omnibus Safety Enforcement Fund"
23 established pursuant to section 4 of P.L.2007, c.40 (C.39:3-79.23).
24 The fine described herein shall not be deemed a fine, penalty, or
25 forfeiture pursuant to R.S.39:5-41.
26 (cf: P.L.2021, c.258, s.2)
27

28 3. The Chief Administrator of the New Jersey Motor Vehicle
29 Commission shall adopt, pursuant to the "Administrative Procedure
30 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to
31 implement the provisions of P.L. , c. (C.) (pending before
32 the Legislature as this bill).
33

34 4. This act shall take effect ¹~~72~~³⁶ months after enactment,
35 but the Chief Administrator of the New Jersey Motor Vehicle
36 Commission may take any administrative action in advance of that
37 date as may be necessary for the timely implementation of this act.

[Second Reprint]

SENATE, No. 1297

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Senators Zwicker, Ruiz, Gopal, Singleton and McKnight

SYNOPSIS

Requires MVC to create digital driver's licenses and digital non-driver identification cards.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 26, 2025, with amendments.



(Sponsorship Updated As Of: 6/23/2025)

1 AN ACT creating ²**[mobile]** digital² driver's licenses and ²digital
2 non-driver² identification cards, supplementing Title 39 of the
3 Revised Statutes, and amending R.S.39:3-29.

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

7
8 ²**[1.** (New section) a. As used in this section:

9 "Mobile driver's license" means an electronic basic driver's
10 license, electronic motorcycle license, or electronic probationary
11 driver's license issued by the New Jersey Motor Vehicle Commission
12 that is accessible on a mobile electronic communication device and
13 includes all information found on a printed, hard-copy basic driver's
14 license, motorcycle license, or probationary driver's license issued by
15 the commission;

16 "Mobile electronic communication device" means any mobile
17 device capable of communication or other transmission of information
18 and includes, but is not limited to, a cellular telephone, wireless tablet,
19 any device with Internet capability, or other wireless communication
20 device; and

21 "Mobile identification card" means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and includes
24 all information found on a printed, hard-copy identification card issued
25 by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue ¹, in addition to the printed, hard-
28 copy driver's license or identification card issued by the commission,¹
29 a mobile driver's license ¹**[and]** or¹ mobile identification card to an
30 individual who voluntarily requests a mobile driver's license or mobile
31 identification card and who meets all requirements for the issuance of
32 a driver's license or identification card. The commission may charge
33 and collect a reasonable fee for the issuance of a mobile driver's
34 license ¹**[and]** or¹ mobile identification card. The commission shall
35 retain such fee in accordance with subsection b. of section 105 of
36 P.L.2003, c.13 (C.39:2A-36).

37 c. The commission shall provide that the mobile driver's license
38 and mobile identification card include features to ensure the security
39 and integrity of the license and identification card. A process,
40 prescribed by the chief administrator, shall provide for the issuance of
41 mobile driver's licenses and mobile identification cards to prevent and
42 detect the alteration, duplication, counterfeiting, photographing,
43 forging, or other modification of the mobile driver's license and
44 mobile identification card.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted October 7, 2024.

²Senate SBA committee amendments adopted June 26, 2025.

1 d. The commission shall allow a person with a mobile driver's
2 license or a mobile identification card, or a person applying for such
3 driver's license or identification card, to update the person's motor
4 vehicle record, including, but not limited to, a change of address and
5 organ donor status. Such changes shall immediately become part of
6 the person's official motor vehicle record ¹and shall take precedence
7 over information provided on a printed, hard-copy driver's license and
8 identification card¹².

9
10 ²1. (New section) As used in sections 1 through 7 of P.L. ,
11 c. (C.) (pending before the Legislature as this bill):

12 "Attribute authentication" means the ability of a digital driver's
13 license or digital non-driver identification card to affirmatively and
14 accurately prove to a verifier that something the holder claims about
15 themselves is true without revealing the underlying data associated
16 with the license or card.

17 "Chief administrator" means the Chief Administrator of the New
18 Jersey Motor Vehicle Commission.

19 "Commission" means the New Jersey Motor Vehicle
20 Commission.

21 "Digital driver's license" means a digital basic driver's license,
22 digital motorcycle license, or digital probationary driver's license
23 issued by the commission that is accessible on an electronic device
24 and includes all information found on a printed, hard-copy basic
25 driver's license, motorcycle license, or probationary driver's license
26 issued by the commission.

27 "Digital non-driver identification card" means a digital non-
28 driver identification card issued by the commission that is
29 accessible on an electronic device and includes all information
30 found on a printed, hard-copy non-driver identification card issued
31 by the commission.

32 "Digital wallet" means an application accessed on an electronic
33 device or accessed remotely, which application permits a holder to
34 present a digital driver's license or digital non-driver identification
35 card in person, online, or through other remote means.

36 "Electronic device" means any mobile device capable of either
37 communication or other transmission of information and includes,
38 but is not limited to, a cellular telephone, wireless tablet, any device
39 with Internet capability, or other wireless communication device.

40 "Holder" means a person who possesses a digital driver's license
41 or digital non-driver identification card that establishes proof of that
42 person's identity or of some attribute or authorization that the
43 person possesses.

44 "Personal information" means any information that is linked or
45 reasonably linked to an identified or identifiable person.

46 "Person" means a natural person.

1 “Presentation” means the act of revealing all or any portion of a
2 digital driver’s license or digital non-driver identification card to a
3 verifier.

4 “Selective disclosure” means the sole discretion of a holder to
5 choose which data fields from a digital driver’s license or digital
6 non-driver identification card to disclose during a presentation,
7 provided that the holder discloses at least those data fields that are
8 reasonably necessary for the purpose of a presentation.

9 “Verification tool” means a device that is used by verifiers to
10 exchange data with the holder’s digital wallet during a presentation
11 and to verify the authenticity of that presentation.

12 “Verifier” means a person or an entity that checks a holder’s
13 digital driver’s license or digital non-driver identification card in
14 order to establish proof of a holder’s identity or of some attribute or
15 authorization that the holder possesses.²

16
17 ²2. (New section) a. The Chief Administrator of the New Jersey
18 Motor Vehicle Commission shall create and issue, in addition to the
19 printed, hard-copy driver’s license or non-driver identification card
20 issued by the commission, a digital driver’s license or digital non-
21 driver identification card to a person who voluntarily requests a
22 digital driver’s license or digital non-driver identification card and
23 who meets all requirements for the issuance of a printed, hard-copy
24 basic driver’s license, motorcycle license, probationary driver’s
25 license, or non-driver identification card, as applicable. The
26 commission may charge and collect a reasonable fee for the
27 issuance of either a digital driver’s license or digital non-driver
28 identification card. The commission shall retain such fee in
29 accordance with subsection b. of section 105 of P.L.2003, c.13
30 (C.39:2A-36).

31 b. (1) The commission shall provide that the digital driver’s
32 license and digital non-driver identification card include features to
33 ensure the security and integrity of the license and identification
34 card and the protection of personal information, including
35 protection against unauthorized access to such information. Such
36 features shall ensure that:

37 (a) use of the digital driver’s license or digital non-driver
38 identification card does not require handing over one’s electronic
39 device to any other person or entity when using the digital driver’s
40 license or digital non-driver identification card;

41 (b) any remote access to the digital driver’s license or digital
42 non-driver identification card requires the express, affirmative, real-
43 time consent of the holder of the digital driver’s license or digital
44 non-driver identification card that is being requested for each piece
45 of information being requested and will be limited to only that
46 information which is provided on a printed, hard-copy basic
47 driver’s license or printed, hard-copy non-driver identification card;

1 (c) the digital driver's license or digital non-driver identification
2 card, as well as any mobile application required for the digital
3 driver's license or digital non-driver identification card, does not
4 contain or collect any information not strictly necessary for the
5 functioning of the digital driver's license, digital non-driver
6 identification card, or mobile application, including, but not limited
7 to, location information;

8 (d) no part of the system or technology involved in a digital
9 driver's license or digital non-driver identification card utilized by
10 the commission will disclose any data regarding a holder's
11 presentation of such license or identification card to the
12 commission;

13 (e) the information transmitted to the digital driver's license or
14 digital non-driver identification card, as well as any mobile
15 application required for the digital driver's license or digital non-
16 driver identification card, is encrypted and protected to the highest
17 reasonable security standards that are broadly available and cannot
18 be intercepted while being transmitted from the commission;

19 (f) a digital driver's license or digital non-driver identification
20 card includes techniques and methodologies that ensure that
21 multiple presentations of non-unique data by a holder cannot be
22 linked together by one or more verifiers;

23 (g) any data exchanged between the commission and any
24 electronic device, between the commission and the provider of any
25 electronic device, and between any electronic device and the
26 provider of that electronic device, shall be limited to the data
27 necessary to display the information necessary for a digital driver's
28 license or digital non-driver identification card;

29 (h) a digital driver's license or digital non-driver identification
30 card provides for selective disclosure and allows attribute
31 authentication, including proof of meeting the minimum age for
32 restricted product purchases; and

33 (i) any contract between the commission and another entity
34 concerning digital driver's licenses or digital non-driver
35 identification cards prohibits the use, sharing, sale, or disclosure of
36 any information obtained as part of the contract, including, but not
37 limited to, any information about the holder, except as is necessary
38 to satisfy the terms of the contract, and provides that, upon the
39 termination or expiration of the contract, the entity shall delete any
40 data collected or generated in the course of activities pursuant to
41 that contract within 30 days.

42 (2) A process, prescribed by the chief administrator, shall
43 provide for the issuance of digital driver's licenses and digital non-
44 driver identification cards to prevent and detect the alteration,
45 duplication, counterfeiting, photographing, forging, or other
46 modification of the digital driver's license and digital non-driver
47 identification card.

1 c. The commission may not revoke or withdraw the holder's
2 access to a digital driver's license or digital non-driver
3 identification card unless the commission determines:

4 (1) the security or integrity of the digital driver's license or
5 digital non-driver identification card has been compromised;

6 (2) the digital driver's license or digital non-driver identification
7 card was procured in error or by fraud;

8 (3) the holder requests that such access be revoked or withdrawn;
9 or

10 (4) the commission has grounds for revoking the holder's
11 printed, hard-copy driver's license or printed, hard-copy non-driver
12 identification card as otherwise provided pursuant to applicable law
13 or regulation.

14 d. (1) The provisions of section 2 of P.L.1997, c.188 (C.39:2-
15 3.4), subsection w. of R.S.39:3-10, subsection i. of section 4 of
16 P.L.1950, c.127 (C.39:3-13.4), subsection a. of section 2 of
17 P.L.1980, c.47 (C.39:3-29.3), and section 22 of P.L.2019, c.271
18 (C.39:3-10p) shall apply to digital driver's licenses, digital non-
19 driver identification cards, and the motor vehicle records associated
20 with such licenses and identification cards.

21 (2) A signed application for a digital driver's license or digital
22 non-driver identification card shall constitute the applicant's
23 informed consent for the sharing of the applicant's personal
24 information for the sole purpose of issuing the applicant a digital
25 driver's license or digital non-driver identification card.

26 e. The commission shall allow a person with a digital driver's
27 license or a digital non-driver identification card, or a person
28 applying for such driver's license or identification card, to update
29 the person's motor vehicle record, including, but not limited to, a
30 change of address and organ donor status. Such changes shall
31 immediately become part of the person's official motor vehicle
32 record.

33 f. The commission shall ensure that a digital driver's license or
34 a digital non-driver identification card is accessible to, and usable
35 by, persons with disabilities.

36 g. The commission shall, in consultation with the Attorney
37 General, provide information on the commission's Internet website
38 to educate the public on the availability and use of digital driver's
39 licenses and digital non-driver identification cards.²

40
41 ²3. (New section) a. A digital driver's license or digital non-
42 driver identification card shall include standard technical and
43 administrative measures, as determined by the commission, that
44 verifiers shall use to identify and authenticate themselves to a
45 holder's digital wallet.

46 b. A digital wallet containing a New Jersey digital driver's
47 license or digital non-driver identification card shall display to a
48 holder which data is being requested by a verifier and the verifier's

1 identity and shall allow the holder to select which data is and is not
2 transmitted to the verifier.

3 c. A digital wallet containing a New Jersey digital driver's
4 license or digital non-driver identification card shall keep a log of
5 each requesting verifier, the data that was requested, and the data
6 that was transmitted to that verifier, if any. The log shall be
7 available exclusively to the holder, who may, at will, delete any or
8 all of the information contained in the log.

9 d. A holder may carry a digital driver's license or digital non-
10 driver identification card in any digital wallet of the holder's choice
11 that complies with widely-accepted standards for security, including
12 any appropriate encryption standards, consistent with P.L. ,
13 c. (C.) (pending before the Legislature as this bill) and as
14 identified by the commission or the Attorney General, as
15 applicable.²

16
17 ²4. (New section) a. No verifier or entity contracting with the
18 commission may collect, retain, share, or use information from a
19 digital driver's license or digital non-driver identification card for
20 longer than what is strictly necessary for the purpose for which that
21 information was presented.

22 b. No provider of a digital wallet or of a verification tool
23 operating in this State shall access, collect, retain, share, or use
24 personal information about a holder's digital driver's license or
25 digital non-driver identification card, or about the use of such
26 license or identification card, except as required by State or federal
27 law or regulation.²

28
29 ²5. (New section) a. A holder shall not be required to give
30 physical possession of the holder's electronic device to any other
31 person or entity in order to use a digital driver's license or digital
32 non-driver identification card for identity verification. No person
33 or entity, including any law enforcement officer as defined in
34 section 2 of P.L.1961, c.56 (C.52:17B-67), shall take physical
35 possession of a holder's electronic device for the purposes of
36 verifying the holder's identity.

37 b. If a holder displays or gives physical possession of the
38 holder's electronic device to any other person or entity in order to
39 use the license or identification card for identity verification, the
40 display or surrender of physical possession of the holder's
41 electronic device shall not constitute the holder's consent to a
42 search of or the holder's consent for access to any information other
43 than that which is immediately available on the digital driver's
44 license or digital non-driver identification card. Information
45 incidentally obtained in the process of viewing a digital driver's
46 license or digital non-driver identification card to verify the identity
47 of the holder shall not be used to establish probable cause for a
48 warrant to search the holder's electronic device.

1 c. (1) Any request for remote access to a digital driver's
2 license or digital non-driver identification card for the purposes of
3 identity verification shall:

4 (a) require the express consent of the holder;

5 (b) be limited to the content of the digital driver's license or
6 digital non-driver identification card specified in the request for
7 remote access; and

8 (c) not exceed the information available on a printed, hard-copy
9 driver's license or digital non-driver identification card.

10 (2) A holder's consent to grant remote access to the holder's
11 digital driver's license or digital non-driver identification card shall
12 not constitute consent to a search, nor shall it constitute consent for
13 access to any information other than that which is immediately
14 available on the digital driver's license or digital non-driver
15 identification card. Information incidentally obtained in the process
16 of remotely accessing a digital driver's license or digital non-driver
17 identification card shall not be used to establish probable cause for
18 a warrant to search the electronic device.²

19
20 ²6. (New section) a. A holder shall not be required to use a
21 digital driver's license or digital non-driver identification card
22 instead of a printed, hard-copy driver's license or printed, hard-
23 copy non-driver identification card for the purpose of identity
24 verification nor shall the holder's choice to obtain a digital driver's
25 license or digital non-driver identification card preclude the
26 holder's use of a printed, hard-copy driver's license or printed,
27 hard-copy non-driver identification card under any circumstances.

28 b. A verifier shall not:

29 (1) condition the offer or use of a good or service on the
30 presentation of a digital driver's license or digital non-driver
31 identification card instead of a printed, hard copy driver's license or
32 printed, hard-copy non-driver identification card;

33 (2) charge different prices or rates for a good or service, provide
34 preferential treatment or a different level of quality of a good or
35 service, or condition entry for or access to a good or service to any
36 person who exercises or elects not to exercise the person's rights
37 pursuant to P.L. , c. (C.) (pending before the Legislature as
38 this bill) or who presents a printed, hard-copy driver's license or
39 printed, hard-copy non-driver identification card instead of a digital
40 driver's license or digital non-driver identification card, as
41 applicable, except as reasonably necessary for conducting a
42 transaction online or through other remote means, taking into
43 consideration available technology; or

44 (3) require or request presentation of more than the minimum
45 data necessary to determine that a transaction meets legal
46 requirements, including requiring more than a binary "yes/no"
47 attribute authorization for age or other qualifications.

1 c. The provisions of section 2 of P.L.2017, c.124 (C.56:11-54)
2 shall apply to a verifier during a holder's presentation of a digital
3 driver's license or digital non-driver identification card, irrespective
4 of the technical means of reading the license or identification card.

5 d. A State agency or political subdivision shall not:

6 (1) condition the offer of an in-person good or service on the
7 presentation of a digital driver's license or digital non-driver
8 identification card; or

9 (2) offer a different level of quality of an in-person good or
10 service to any person based solely on the presentation of a digital or
11 printed, hard-copy form of identification pursuant to P.L. ,
12 c. (C.) (pending before the Legislature as this bill).²

13
14 ^{27.} (New section) a. The commission shall display, on the
15 appropriate webpage on its Internet website, information concerning
16 the requirement for verifiers and digital wallet providers to report
17 cybersecurity incidents pursuant to subsection b. of this section as
18 well as information that encourages holders to remain alert for
19 cybersecurity incidents when using a digital driver's license or
20 digital non-driver identification card.

21 b. All verifiers and digital wallet providers shall report any and
22 all cybersecurity incidents, as defined in section 1 of P.L.2023, c.19
23 (C.52:17B-193.2), to the commission in a form and manner
24 prescribed by the commission, and to the New Jersey Office of
25 Homeland Security and Preparedness consistent with the provisions
26 of P.L.2023, c.19 (C.52:17B-193.2 et seq.). The reports shall
27 adhere to the provisions of P.L.2023, c.19 (C.52:17B-193.2 et
28 seq.).²

29
30 ^{28.} (New section) a. No later than the last day of the second
31 year following the effective date of P.L. , c. (C.) (pending
32 before the Legislature as this bill), the commission, or an entity
33 designated by the commission, shall complete a report describing:

34 (1) the number of State residents who have obtained a digital
35 driver's license or digital non-driver identification card;

36 (2) the number of cybersecurity incidents reported pursuant to
37 section 7 of P.L. , c. (C.) (pending before the Legislature
38 as this bill), a description of the cybersecurity incident types, and
39 the categories of verifiers that submitted cybersecurity incident
40 reports;

41 (3) the number of incidents reported concerning a verifier taking
42 physical possession of a holder's electronic device in violation of
43 P.L. , c. (C.) (pending before the Legislature as this bill);

44 (4) the ways in which digital driver's licenses and digital non-
45 driver identification cards have improved the privacy of holders,
46 including the ability to decide which information is shared with
47 verifiers, and the convenience for holders;

1 (5) best practices for the operation of a digital driver's license
2 and digital non-driver identification card system;

3 (6) recommendations for supplemental legislation to P.L. ,
4 c. (C.) (pending before the Legislature as this bill);

5 (7) the feasibility of requiring that should any fees be assessed
6 by the commission for the issuance of a digital driver's license or
7 digital non-driver identification card, such fees or a portion thereof
8 shall be deposited into a fund used to offset or reimburse
9 individuals against whom a surcharge has been levied for certain
10 violations or for the accumulation of points, excluding violations of
11 R.S.39:4-50 and section 2 of P.L.1981, c.512 (C.39:4-50.4a), which
12 individuals have incomes at or below 185 percent of the federal
13 poverty level;

14 (8) any effect of digital driver's licenses and digital non-driver
15 identification cards on underserved or other vulnerable populations;
16 and

17 (9) any other information as the commission deems necessary or
18 appropriate.

19 b. The report required pursuant to this section shall be
20 submitted to the Governor and, pursuant to section 2 of P.L.1991,
21 c.164 (C.52:14-19.1), to the Legislature.²

22
23 ^{29.} (New section) a. A verifier that violates any provision of
24 section 4, 5, or 6 of P.L. , c. (C.) (pending before the
25 Legislature as this bill) shall be subject to civil penalties as
26 provided in subsection a. of section 3 of P.L.2017, c.124 (C.56:11-
27 55), which may be enforced by the Attorney General by a summary
28 proceeding pursuant to the "Penalty Enforcement Law of 1999,"
29 P.L.1999, c.274 (C.2A:58-10 et seq.).

30 b. The Attorney General may issue guidance or directives or
31 promulgate, pursuant to the "Administrative Procedure Act,"
32 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as the
33 Attorney General deems necessary to effectuate the purposes of
34 P.L. , c. (C.) (pending before the Legislature as this bill)
35 and enforcement thereof.²

36
37 ²**[2.]** ^{10.} ² R.S.39:3-29 is amended to read as follows:

38 39:3-29. The driver's license, the registration certificate of a
39 motor vehicle, and an insurance identification card shall be in the
40 possession of the driver or operator at all times when the driver or
41 operator is in charge of a motor vehicle on the highways of this
42 State.

43 The driver or operator shall exhibit the driver or operator's
44 driver's license and an insurance identification card, and the holder
45 of a registration certificate or the operator or driver of a motor
46 vehicle for which a registration certificate has been issued, whether
47 or not the holder, driver or operator is a resident of this State, shall
48 also exhibit the registration certificate, when requested so to do by a

1 police officer or judge, while in the performance of the duties of
2 their office, and shall write the driver or operator's name in the
3 presence of the officer, so that the officer may thereby determine
4 the identity of the licensee and at the same time determine the
5 correctness of the registration certificate, as it relates to the
6 registration number and number plates of the motor vehicle for
7 which it was issued; and the correctness of the evidence of a policy
8 of insurance, as it relates to the coverage of the motor vehicle for
9 which it was issued.

10 The ¹['driver's license,']¹ registration certificate ¹['.']¹ or
11 insurance identification card may be displayed or provided in either
12 paper or electronic form. For the purposes of this section,
13 "electronic form" means the display of images on an electronic
14 device, such as a cellular telephone, tablet, or computer.

15 ¹The driver's license may be displayed or provided in either
16 printed, hard-copy form or ²['electronic form'] as a digital driver's
17 license authorized pursuant to P.L. , c. (C.) (pending
18 before the Legislature as this bill) and, regardless of which form, as
19 issued by the commission² . If the driver's license is displayed or
20 provided ²['in electronic form'] as a digital driver's license² , the
21 driver's license shall be presented in such a manner that there is no
22 requirement to ²['display or']² relinquish possession of the person's
23 electronic device, such as a cellular telephone, tablet, or computer.
24 A digital copy, photograph, or image of a driver's license that is not
25 issued by the commission as a ²['mobile'] digital² driver's license
26 and downloaded on ²['a mobile electronic communication device']
27 an electronic device² , pursuant to the requirements of the
28 commission, shall not be a valid electronic form of a driver's
29 license under this section.¹

30 The use of a cellular telephone, tablet, computer, or any other
31 electronic device to display the driver's license, proof of
32 registration, or proof of insurance does not constitute consent for a
33 police officer or judge to access any other contents on the device.
34 Any police officer or judge presented with an electronic device
35 pursuant to this section shall be immune from any liability resulting
36 from damage to the device.

37 Any person violating this section shall be subject to a fine of
38 \$150, except that if the person is a driver or operator of an omnibus,
39 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
40 \$250. Of the amount of any such fine collected pursuant to this
41 paragraph, \$25 shall be deposited in the Uninsured Motorist
42 Prevention Fund established by section 2 of P.L.1983, c.141
43 (C.39:6B-3).

44 If a person charged with a violation of this section can exhibit
45 the person's driver's license, insurance identification card, and
46 registration certificate, which were valid on the day the person was
47 charged, to the judge of the municipal court before whom the

1 person is summoned to answer to the charge, such judge may
 2 dismiss the charge. However, the judge may impose court costs.²A
 3 judge may permit a person charged with a violation of this section
 4 to provide a digital copy, photograph, or image of a valid driver's
 5 license, registration certificate, and insurance identification card for
 6 the purposes of this section and nothing in this section or in P.L. ,
 7 c. (C.) (pending before the Legislature as this bill) shall be
 8 construed to prohibit such an allowance by a judge. Nothing in this
 9 section or in P.L. , c. (C.) (pending before the Legislature
 10 as this bill) shall be construed to prohibit a municipal prosecutor,
 11 court clerk, or court administrator from viewing a digital driver's
 12 license within the scope of their official duties related to this
 13 section.²

14 In addition to and independent of any fine or other penalty
 15 provided for under law, the court shall impose a fine of \$150 on any
 16 driver or operator of an omnibus, convicted of a violation of this
 17 section, who does not have a certificate of public convenience and
 18 necessity as required pursuant to R.S.48:4-3. The State Treasurer
 19 shall annually deposit the monies collected from the fines imposed
 20 pursuant to this paragraph to the "Omnibus Safety Enforcement
 21 Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-
 22 79.23). The fine described herein shall not be deemed a fine,
 23 penalty, or forfeiture pursuant to R.S.39:5-41.
 24 (cf: P.L.2021, c.258, s.2)

25
 26 ²**[3.] 11.**² The Chief Administrator of the New Jersey Motor
 27 Vehicle Commission shall ², after consultation with the
 28 Administrative Office of the Courts and the Attorney General,²
 29 adopt, pursuant to the "Administrative Procedure Act," P.L.1968,
 30 c.410 (C.52:14B-1 et seq.), ²any² rules and regulations ²that the
 31 chief administrator deems necessary² to implement the provisions
 32 of P.L. , c. (C.) (pending before the Legislature as this
 33 bill).

34
 35 ²**[4.] 12.**² This act shall take effect ¹**[72]** ²**[36¹]** ⁴⁴² months
 36 after enactment, but the Chief Administrator of the New Jersey
 37 Motor Vehicle Commission ²and the Attorney General² may take
 38 any administrative action in advance of that date as may be
 39 necessary for the timely implementation of this act.²

SENATE, No. 1297

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Senators Zwicker, Ruiz, Gopal and Singleton

SYNOPSIS

Requires MVC to create mobile driver's licenses and identification cards.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee with technical review.



(Sponsorship Updated As Of: 1/14/2025)

1 **AN ACT** creating mobile driver’s licenses and identification cards,
2 supplementing Title 39 of the Revised Statutes, and amending
3 R.S.39:3-29.

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

7
8 1. (New section) a. As used in this section:

9 “Mobile driver’s license” means an electronic basic driver’s
10 license, electronic motorcycle license, or electronic probationary
11 driver’s license issued by the New Jersey Motor Vehicle
12 Commission that is accessible on a mobile electronic
13 communication device and includes all information found on a
14 printed, hard-copy basic driver’s license, motorcycle license, or
15 probationary driver’s license issued by the commission;

16 “Mobile electronic communication device” means any mobile
17 device capable of communication or other transmission of
18 information and includes, but is not limited to, a cellular telephone,
19 wireless tablet, any device with Internet capability, or other wireless
20 communication device; and

21 “Mobile identification card” means an electronic identification
22 card issued by the New Jersey Motor Vehicle Commission that is
23 accessible on a mobile electronic communication device and
24 includes all information found on a printed, hard-copy identification
25 card issued by the commission.

26 b. The Chief Administrator of the New Jersey Motor Vehicle
27 Commission shall create and issue a mobile driver’s license and
28 mobile identification card to an individual who voluntarily requests
29 a mobile driver’s license or mobile identification card and who
30 meets all requirements for the issuance of a driver’s license or
31 identification card. The commission may charge and collect a
32 reasonable fee for the issuance of a mobile driver’s license and
33 mobile identification card. The commission shall retain such fee in
34 accordance with subsection b. of section 105 of P.L.2003, c.13
35 (C.39:2A-36).

36 c. The commission shall provide that the mobile driver’s
37 license and mobile identification card include features to ensure the
38 security and integrity of the license and identification card. A
39 process, prescribed by the chief administrator, shall provide for the
40 issuance of mobile driver’s licenses and mobile identification cards
41 to prevent and detect the alteration, duplication, counterfeiting,
42 photographing, forging, or other modification of the mobile driver’s
43 license and mobile identification card.

44 d. The commission shall allow a person with a mobile driver’s
45 license or a mobile identification card, or a person applying for such

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

Matter underlined thus is new matter.

1 driver's license or identification card, to update the person's motor
2 vehicle record, including, but not limited to, a change of address
3 and organ donor status. Such changes shall immediately become
4 part of the person's official motor vehicle record and shall take
5 precedence over information provided on a printed, hard-copy
6 driver's license and identification card.

7
8 2. R.S.39:3-29 is amended to read as follows:

9 39:3-29. The driver's license, the registration certificate of a
10 motor vehicle, and an insurance identification card shall be in the
11 possession of the driver or operator at all times when the driver or
12 operator is in charge of a motor vehicle on the highways of this
13 State.

14 The driver or operator shall exhibit the driver or operator's
15 driver's license and an insurance identification card, and the holder
16 of a registration certificate or the operator or driver of a motor
17 vehicle for which a registration certificate has been issued, whether
18 or not the holder, driver or operator is a resident of this State, shall
19 also exhibit the registration certificate, when requested so to do by a
20 police officer or judge, while in the performance of the duties of
21 their office, and shall write the driver or operator's name in the
22 presence of the officer, so that the officer may thereby determine
23 the identity of the licensee and at the same time determine the
24 correctness of the registration certificate, as it relates to the
25 registration number and number plates of the motor vehicle for
26 which it was issued; and the correctness of the evidence of a policy
27 of insurance, as it relates to the coverage of the motor vehicle for
28 which it was issued.

29 The driver's license, registration certificate, or insurance
30 identification card may be displayed or provided in either paper or
31 electronic form. For the purposes of this section, "electronic form"
32 means the display of images on an electronic device, such as a
33 cellular telephone, tablet, or computer.

34 The use of a cellular telephone, tablet, computer, or any other
35 electronic device to display the driver's license, proof of
36 registration, or proof of insurance does not constitute consent for a
37 police officer or judge to access any other contents on the device.
38 Any police officer or judge presented with an electronic device
39 pursuant to this section shall be immune from any liability resulting
40 from damage to the device.

41 Any person violating this section shall be subject to a fine of
42 \$150, except that if the person is a driver or operator of an omnibus,
43 as defined pursuant to R.S.39:1-1, the amount of the fine shall be
44 \$250. Of the amount of any such fine collected pursuant to this
45 paragraph, \$25 shall be deposited in the Uninsured Motorist
46 Prevention Fund established by section 2 of P.L.1983, c.141
47 (C.39:6B-3).

1 If a person charged with a violation of this section can exhibit
2 the person's driver's license, insurance identification card, and
3 registration certificate, which were valid on the day the person was
4 charged, to the judge of the municipal court before whom the
5 person is summoned to answer to the charge, such judge may
6 dismiss the charge. However, the judge may impose court costs.

7 In addition to and independent of any fine or other penalty
8 provided for under law, the court shall impose a fine of \$150 on any
9 driver or operator of an omnibus, convicted of a violation of this
10 section, who does not have a certificate of public convenience and
11 necessity as required pursuant to R.S.48:4-3. The State Treasurer
12 shall annually deposit the monies collected from the fines imposed
13 pursuant to this paragraph to the "Omnibus Safety Enforcement
14 Fund" established pursuant to section 4 of P.L.2007, c.40
15 (C.39:3-79.23). The fine described herein shall not be deemed a
16 fine, penalty, or forfeiture pursuant to R.S.39:5-41.
17 (cf: P.L.2021, c.258, s.2)

18
19 3. The Chief Administrator of the New Jersey Motor Vehicle
20 Commission shall adopt, pursuant to the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to
22 implement the provisions of P.L. , c. (C.) (pending before
23 the Legislature as this bill).

24
25 4. This act shall take effect 72 months after enactment, but the
26 Chief Administrator of the New Jersey Motor Vehicle Commission
27 may take any administrative action in advance of that date as may
28 be necessary for the timely implementation of this act.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1297

STATE OF NEW JERSEY

DATED: JANUARY 25, 2024

The Senate Transportation Committee reports favorably Senate Bill No. 1297.

As reported, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (commission) to create and issue a mobile driver's license and mobile identification card to an individual who requests such electronic documentation. Under the bill, a mobile driver's license includes a basic driver's license, motorcycle license, and probationary driver's license that is accessible on a mobile electronic communication device and includes all information found on a printed, hard-copy version. The commission may charge and collect a reasonable fee for the issuance of a mobile driver's license and mobile identification card.

When issuing a mobile driver's license and mobile identification card, the commission is required to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the mobile driver's license and mobile identification card. The commission is also required to include features in the license and card to ensure the security and integrity of these documents.

Under the bill, the commission is to allow a person with a mobile driver's license or a mobile identification card, or a person applying for such documentation, to update the person's motor vehicle record. The changes are to immediately become part of the person's official motor vehicle record and are to take precedence over information provided on the person's printed, hard-copy driver's license and identification card.

The bill provides that a person may possess a mobile driver's license when driving a motor vehicle in this State and may exhibit a mobile driver's license when requested by a police officer or judge.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1297

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1297.

As amended and reported, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (commission) to create and issue, in addition to the printed, hard-copy driver's license or identification card issued by the commission, a mobile driver's license or mobile identification card to an individual who voluntarily requests such electronic documentation. Under the bill, a mobile driver's license includes an electronic basic driver's license, electronic motorcycle license, and electronic probationary driver's license that is accessible on a mobile electronic communication device and includes all information found on a printed, hard-copy basic driver's license, motorcycle license, or probationary driver's license. The commission may charge and collect a reasonable fee for the issuance of a mobile driver's license or mobile identification card.

When issuing a mobile driver's license and mobile identification card, the commission is required to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the mobile driver's license and mobile identification card. The commission is also required to include features in the mobile driver's license and mobile identification card to ensure the security and integrity of these documents.

Under the bill, the commission is to allow a person with a mobile driver's license or a mobile identification card, or a person applying for such documentation, to update the person's motor vehicle record. The changes are to immediately become part of the person's official motor vehicle record.

The bill provides that a person may possess a mobile driver's license when driving a motor vehicle in this State and may exhibit a mobile driver's license when requested by a police officer or judge. However, the bill specifies that a digital copy, photograph, or image of a driver's license that is not issued by the commission as a mobile driver's license and downloaded on a mobile electronic communication device, pursuant to the requirements of the commission, is not a valid electronic form of a driver's license.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) provide that a driver's license may be displayed or provided in either printed, hard-copy form or electronic form, rather than in either paper or electronic form, when requested by a police officer or judge;

(2) provide that when a driver's license is displayed in electronic form, the license is to be presented in such a manner that there is no requirement to display or relinquish possession of the person's electronic device;

(3) specify that the mobile driver's license or mobile identification card created by the commission is in addition to the printed, hard-copy driver's licenses and identification cards already issued by the commission;

(4) remove a provision that provides that changes made to a person's motor vehicle record takes precedence over information provided on a printed, hard-copy driver's license and identification card;

(5) specify that a digital copy, photograph, or image of a driver's license that is not issued by the commission as a mobile driver's license and downloaded on a mobile electronic communication device pursuant to the requirements of the commission is not a valid electronic form of a driver's license under the bill; and

(6) provide that the bill takes effect 36 months, rather than 72 months, after enactment.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the State will incur indeterminate start-up costs to create and issue mobile driver's licenses or identification cards, including the costs to design these electronic documents and other costs associated with information technology changes that such electronic documents will require. Because the OLS is unable to predict how the program will be implemented, does not have information about associated information technology hardware and software costs, and notes that the bill will not take effect until three years after enactment, the cost and revenue estimates for the bill, as well as their timing, are indeterminate.

Beginning three years after the date of enactment, the bill would also result in indeterminate costs for the issuance of the mobile driver's licenses or mobile identification cards as well as any continuing information technology costs associated with the maintenance of the mobile driver's license or mobile identification card system. These costs will be offset to a certain degree by annual revenues collected by the Motor Vehicle Commission for the electronic documents. The OLS is unable to determine the likely amounts of these revenues because the bill gives the commission discretion in setting fees for the mobile driver's licenses or mobile identification cards, so long as the fees are reasonable.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1297

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1297 (1R).

As amended and reported, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (commission) to create and issue, in addition to the printed, hard-copy driver's license or non-driver identification card issued by the commission, a digital driver's license or digital non-driver identification card to any individual who voluntarily requests such electronic documentation and who meets all requirements for the issuance of a basic driver's license, motorcycle license, probationary license, or non-driver identification card, as applicable. The commission may charge and collect a reasonable fee for the issuance of either a digital driver's license or digital non-driver identification card pursuant to current law.

When issuing a digital driver's license or digital non-driver identification card, the commission is required to ensure the security and integrity of the license and identification card to protect each holder's personal information, including protection against unauthorized access to such information. The chief administrator is to prescribe a process for the issuance of digital driver's licenses and digital non-driver identification cards to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the digital driver's license and digital non-driver identification card.

The commission is not to revoke or withdraw an individual's access to a digital driver's license or digital non-driver identification card unless certain criteria are met, as outlined in the bill. The bill also requires digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such electronic documentation to comply with certain provisions of current law concerning basic driver's licenses and identification cards.

A signed application for a digital driver's license or digital non-driver identification card constitutes the applicant's informed

consent for the sharing of the applicant's personal information for the sole purpose of issuing the applicant a digital driver's license or digital non-driver identification card. The commission is to allow a person with a digital driver's license or a digital non-driver identification card, or a person applying for such driver's license or identification card, to update the person's motor vehicle record, including, but not limited to, a change of address and organ donor status. Such changes are to immediately become part of the person's official motor vehicle record. Additionally, the commission is to ensure that a digital driver's license or a digital non-driver identification card is accessible to and usable by persons with disabilities and, in consultation with the Attorney General, to provide information on its Internet website to educate the public as to the availability and use of digital driver's licenses and digital non-driver identification cards.

In addition, the bill requires that a digital driver's license or digital non-driver identification card include standard technical and administrative measures that verifiers are to use to identify and authenticate themselves to a holder's digital wallet. A digital wallet containing a New Jersey digital driver's license or digital non-driver identification card is to display to a holder which data is being requested by a verifier and the verifier's identity and then allow the holder to select which data is and is not transmitted to the verifier. The digital wallet is to keep a log of each requesting verifier, the data that was requested, and the data that was transmitted to that verifier, if any. The log is to be available exclusively to the holder, who may, at will, delete any or all of the information contained in the log. Additionally, a holder may carry a digital driver's license or digital non-driver identification card in any digital wallet of the holder's choice that complies with widely-accepted standards for security, including any appropriate encryption standards as identified by the commission or the Attorney General, as appropriate.

Under the bill, no verifier or entity contracting with the commission may collect, retain, share, or use information from a digital driver's license or digital non-driver identification card for longer than what is strictly necessary for the purpose for which that information was presented. No provider of a digital wallet or of a verification tool operating in the State is to access, collect, retain, share, or use identifiable data about a holder's digital driver's license or digital non-driver identification card, or about the use of such electronic documentation, except as required by State or federal law or regulation.

A holder of a digital driver's license or digital non-driver identification card is not required to give physical possession of the holder's electronic device to any other person or entity in order to use such electronic documentation for identity verification. No

person or entity, including any law enforcement officer, is to take physical possession of a holder's electronic device for purposes of verifying the holder's identity.

Under the bill, if a holder displays or gives physical possession of their electronic device to any other person or entity in order to use the digital driver's license or digital non-driver identification card for identity verification, the display or surrender of physical possession is not to constitute the holder's consent to a search or the holder's consent for access to any information other than that which is immediately available on such electronic documentation. Information incidentally obtained in the process of viewing a digital driver's license or digital non-driver identification card to verify the identity of the holder is not to be used to establish probable cause for a warrant to search the holder's electronic device. Any request for remote access to a digital driver's license or digital non-driver identification card for the purposes of identity verification is to comply with specific provisions as outlined in the bill. A holder's consent to grant remote access to the holder's digital driver's license or digital non-driver identification card is not to constitute consent to a search, nor is it to constitute consent for access to any information other than that which is immediately available on such electronic documentation. Information incidentally obtained in the process of remotely accessing a digital driver's license or digital non-driver identification card is not to be used to establish probable cause for a warrant to search the electronic device.

The holder of a digital driver's license or digital non-driver identification card is not required to use such electronic documentation instead of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card for the purpose of identity verification. The holder's choice to obtain a digital driver's license or digital non-driver identification card does not preclude the holder's use of a printed, hard-copy driver's license or printed, hard-copy non-driver identification card under any circumstances.

The commission is required to display on the appropriate webpage on its Internet website information concerning the requirement for verifiers and digital wallet providers to report cybersecurity incidents as well as information that encourages residents to remain alert for cybersecurity incidents when using a digital driver's license or digital non-driver identification card. All verifiers and digital wallet providers are required to report any and all cybersecurity incidents to the commission in a form and manner prescribed by the commission and to the New Jersey Office of Homeland Security and Preparedness.

Under the bill, the commission or an entity designated by the commission is required to issue a report to the Governor and to the Legislature prior to the end of the second year following the bill's enactment certain information outlined in the bill.

The bill imposes certain restrictions on a verifier and provides that a verifier that violates the bill's provisions is to be subject to certain civil penalties.

The bill amends current law to provide that a driver's license may be displayed or provided in either printed, hard-copy form or as a digital driver's license and, regardless of which form, as issued by the commission. If the driver's license is displayed or provided as a digital driver's license, the driver's license is to be presented in such a manner that there is no requirement to relinquish possession of the person's electronic device. A digital copy, photograph, or image of a driver's license that is not issued by the commission as a digital driver's license and downloaded on an electronic device, pursuant to the requirements of the commission, is not to be deemed a valid electronic form of a driver's license. A judge may permit a person to provide a digital copy, photograph, or image of that person's valid driver's license, registration, and insurance card in certain circumstances. Nothing in the bill is to be construed to prohibit a municipal prosecutor, court clerk, or court administrator from viewing a digital driver's license within the scope of their official duties.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define "attribute authentication," "chief administrator," "commission," "digital driver's license," "digital non-driver identification card," "digital wallet," "electronic device," "holder," "personal information," "person," "presentation," "selective disclosure," "verification tool," and "verifier";

(2) remove definitions for "mobile driver's license," "mobile electronic communication device," and "mobile identification card";

(3) replace references to "mobile driver's license" with "digital driver's license" and replace references to "mobile identification card" with "digital non-driver identification card" throughout the bill;

(4) require the commission to equip digital driver's licenses and digital non-driver identification cards with certain features outlined in the bill to ensure the security and integrity of such electronic documentation in order to protect a holder's personal information;

(5) prohibit the commission from revoking or withdrawing a holder's access to a digital driver's license or digital non-driver identification card unless the commission makes certain determinations;

(6) expand specific provisions of law to include digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such electronic documentation;

(7) provide that a signed application for a digital driver's license or digital non-driver identification card constitutes the applicant's informed consent for the sharing of the applicant's personal

information for the sole purpose of issuing the applicant such electronic documentation;

(8) provide that the commission is to ensure that a digital driver's license and a digital non-driver identification card are accessible to and usable by persons with disabilities;

(9) require the commission, in consultation with the Attorney General, to provide information on its Internet website to educate the public as to the availability and use of digital driver's licenses and digital non-driver identification cards;

(10) provide that a digital driver's license or digital non-driver identification card is to include standard technical and administrative measures that verifiers are to use to identify and authenticate themselves to a holder's digital wallet;

(11) require a digital wallet that holds a digital driver's license or digital non-driver identification card to display to a holder which data is being requested by a verifier, display to a holder the verifier's identity, and allow the holder to select which data is and is not transmitted to the verifier;

(12) require a digital wallet that holds a digital driver's license or digital non-driver identification card to keep a log of each requesting verifier, the data that was requested, and the data that was transmitted, if any;

(13) provide that the log kept by a digital wallet, as required under the bill, is to be available exclusively to the holder, who may, at will, delete any or all of the information contained in the digital wallet;

(14) permit a holder to carry a digital driver's license or digital non-driver identification card in any digital wallet of the holder's choice, provided that the digital wallet complies with widely-accepted standards for security, including appropriate encryption standards as determined by the commission or the Attorney General, as appropriate;

(15) prohibit a verifier or an entity contracting with the commission from collecting, retaining, sharing, or using information from a digital driver's license or digital non-driver identification card for longer than what is strictly necessary for the purpose for which that information was presented;

(16) prohibit a provider of a digital wallet or of a verification tool operating in the State from accessing, collecting, retaining, sharing, or using identifiable data about a holder's digital driver's license or digital non-driver identification card, or about the use of such electronic documentation, except as required by State or federal law or regulation;

(17) provide that the holder of a digital driver's license or digital non-driver identification card is not required to give physical possession of their electronic device to any other person or entity in order to use such electronic documentation for identity verification and that no person or entity, including any law enforcement officer, is to

take physical possession of a holder's electronic device for purposes of verifying the holder's identity;

(18) provide that, if a holder displays or gives physical possession of the holder's electronic device to any other person or entity in order to use a digital driver's license or digital non-driver identification card for identity verification or provides consent to grant remote access to such electronic documentation, the display, surrender, or consent to remote access is not to constitute the holder's consent to a search or access to any information other than that which is immediately available on such electronic documentation;

(19) provide that any information incidentally obtained from a digital driver's license or digital non-driver identification card by a person or entity while viewing such electronic documentation for the purposes of identity verification is not to be used to establish probable cause for a warrant to search the holder's electronic device;

(20) provide that any request for remote access to a digital driver's license or digital non-driver identification card for the purposes of identity verification is to comply with certain requirements;

(21) clarify that a holder is not required to use a digital driver's license or digital non-driver identification card instead of a printed, hard-copy license or identification card for the purpose of identity verification and that the holder's choice to obtain such electronic documentation does not preclude the holder's use of a printed, hard-copy license or identification card under any circumstances;

(22) establish certain restrictions on verifiers as outlined in the bill;

(23) prohibit a State agency or political subdivision from taking certain actions outlined in the bill;

(24) require the commission to display certain information about cybersecurity on its Internet website and to require certain persons to report all cybersecurity incidents to the commission and to the New Jersey Office of Homeland Security and Preparedness;

(25) require the commission, or a designee, to submit a report to the Governor and the Legislature describing items outlined in the bill;

(26) authorize judges to permit a person charged with violating certain provisions of the bill to provide a digital copy, photograph, or image of that person's valid driver's license, registration, and insurance card;

(27) provide that nothing in the bill is to prohibit a municipal prosecutor, court clerk, or court administrator from viewing a digital driver's license within the scope of their official duties;

(28) provide that a verifier that violates provisions of the bill is to be subject to civil penalties and authorize the Attorney General to issue guidance or directives or promulgate rules and regulations to effectuate the purposes and enforcement of the bill;

(29) permit a driver's license to be displayed to police officers or judges as a digital driver's license rather than displayed in electronic form;

(30) clarify that the rules and regulations implemented by the chief administrator are to be those that the chief administrator deems necessary after consulting with the Administrative Office of the Courts and the Attorney General;

(31) change the effective date of the bill from 72 months to 44 months; and

(32) revise the bill's title and synopsis.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE

SENATE, No. 1297

STATE OF NEW JERSEY

221st LEGISLATURE

DATED: FEBRUARY 21, 2024

SUMMARY

Synopsis: Requires MVC to create mobile driver’s licenses and identification cards.

Type of Impact: State expenditure increase; State revenue increase.

Agencies Affected: New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Years 1-6</u>	<u>Year 6 and After</u>
State Expenditure Increase	Indeterminate	Indeterminate
State Revenue Increase	No Impact	Indeterminate

- The Office of Legislative Services (OLS) finds that the State will incur indeterminate start-up costs to create and issue mobile driver’s licenses and identification cards, including the costs to design these electronic documents and other costs associated with information technology changes that such electronic documents will require. Because the OLS is unable to predict how the program will be implemented, does not have information about associated information technology hardware and software costs, and notes that the bill will not take effect until six years after enactment, the cost and revenue estimates for the bill, as well as their timing, are indeterminate.
- Beginning six years after the date of enactment, the bill would also result in indeterminate costs for the issuance of the mobile driver’s licenses and mobile identification cards as well as any continuing information technology costs associated with the maintenance of the mobile driver’s license and mobile identification card systems. These costs will be offset to a certain degree by annual revenues collected by the Motor Vehicle Commission for the electronic documents. The OLS is unable to determine the likely amounts of these revenues because the bill gives the commission discretion in setting fees for the mobile driver’s licenses and mobile identification cards, so long as the fees are reasonable.

BILL DESCRIPTION

This bill requires the Motor Vehicle Commission to create and issue a mobile driver's license and mobile identification card to any individual who requests such electronic documentation. The commission is authorized to charge and collect a reasonable fee for the issuance of mobile driver's licenses and mobile identification cards.

The bill requires the commission to include features that ensure the security and integrity of the documents and to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the electronic documents. The bill allows the holders of a mobile driver's license or mobile identification card to update motor vehicle records and provides that the changes are to immediately become part of their motor vehicle record and take precedence over information provided on the printed, hard-copy driver's license or identification card.

The bill is to take effect 72 months after enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the creation of mobile driver's licenses and identification cards by the commission will result in an indeterminate one-time design cost and annual issuance and information technology costs as well as indeterminate annual State revenues. Under the bill, the commission would not begin to issue the mobile licenses and identification cards until six years after the date of enactment. Accordingly, while the commission would incur increased up-front implementation costs before this time, annual increases in commission expenses and revenues are not expected to occur until after the sixth year following the date of enactment.

The cost of creating the mobile driver's licenses and identification cards cannot be determined without more information about how the program will be implemented and how much implementation of the program may cost six years after enactment. The annual administrative cost of the program is similarly unable to be determined and will also depend on the number of individuals applying for a mobile driver's license or mobile identification card.

The bill includes a requirement that the commission include features that ensure the security and integrity of the electronic documents and that a process be in place to prevent and detect certain alterations, counterfeiting, and other modifications of the electronic documents. These requirements will result in an indeterminate one-time cost to design and produce documents with the required security features as well as ongoing annual costs to ensure the security and integrity of the documents as well as detection of various modifications of the documents.

A number of other states have implemented or started to consider digital driver's licenses with costs varying for each state. For example, Iowa sought to implement digital driver's licenses in 2018 with an estimated cost at that time of \$3.5 million. It is also reported that Florida has a \$1.8 million contract with a company to develop a smartphone identification application. It is unclear if these are final costs for development and implementation of these programs or whether they would be comparable to the costs the State would incur under the bill.

The annual revenue produced by mobile driver's licenses and mobile identification cards cannot be determined at this time, largely in part due to the uncertain nature of the number of applicants and the amount of the fee that the commission may charge for the electronic documents. The amount of the fee is entirely within the discretion of the commission, so long as the fee is reasonable.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Michael D. Walker
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 1297

STATE OF NEW JERSEY

221st LEGISLATURE

DATED: OCTOBER 18, 2024

SUMMARY

Synopsis: Requires MVC to create mobile driver’s licenses and identification cards.

Type of Impact: State expenditure increase; State revenue increase.

Agencies Affected: New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Years 1-3</u>	<u>Year 4 and After</u>
State Expenditure Increase	Indeterminate	Indeterminate
State Revenue Increase	No Impact	Indeterminate

- The Office of Legislative Services (OLS) finds that the State will incur indeterminate start-up costs to create and issue mobile driver’s licenses or identification cards, including the costs to design these electronic documents and other costs associated with information technology changes that such electronic documents will require. Because the OLS is unable to predict how the program will be implemented, does not have information about associated information technology hardware and software costs, and notes that the bill will not take effect until three years after enactment, the cost and revenue estimates for the bill, as well as their timing, are indeterminate.
- Beginning three years after the date of enactment, the bill would also result in indeterminate costs for the issuance of the mobile driver’s licenses or mobile identification cards as well as any continuing information technology costs associated with the maintenance of the mobile driver’s license or mobile identification card system. These costs will be offset to a certain degree by annual revenues collected by the Motor Vehicle Commission for the electronic documents. The OLS is unable to determine the likely amounts of these revenues because the bill gives the commission discretion in setting fees for the mobile driver’s licenses or mobile identification cards, so long as the fees are reasonable.

BILL DESCRIPTION

This bill requires the commission to create and issue a mobile driver's license or mobile identification card to any individual who requests such electronic documentation in addition to the printed, hard-copy version. The commission is authorized to charge and collect a reasonable fee for the issuance of mobile driver's licenses or mobile identification cards.

The bill requires the commission to include features that ensure the security and integrity of the documents and to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the electronic documents. The bill allows the holders of a mobile driver's license or mobile identification card to update motor vehicle records and provides that the changes are to immediately become part of their motor vehicle record.

The bill is to take effect 36 months after enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the creation of mobile driver's licenses and identification cards by the commission will result in an indeterminate one-time design cost and annual issuance and information technology costs as well as indeterminate annual State revenues. Under the bill, it is possible that the commission would not begin to issue the mobile licenses and identification cards until three years after the date of enactment. Accordingly, while the commission would incur increased up-front implementation costs before this time, annual increases in commission expenses and revenues are not expected to occur until after the third year following the date of enactment.

The cost of creating the mobile driver's licenses or identification cards cannot be determined without more information about how the program will be implemented and how much implementation of the program may cost three years after enactment. The annual administrative cost of the program is similarly unable to be determined and will also depend on the number of individuals applying for a mobile driver's license or mobile identification card.

The bill includes a requirement that the commission include features that ensure the security and integrity of the electronic documents and that a process be in place to prevent and detect certain alterations, counterfeiting, and other modifications of the electronic documents. These requirements will result in an indeterminate one-time cost to design and produce documents with the required security features as well as ongoing annual costs to ensure the security and integrity of the documents as well as detection of various modifications of the documents.

A number of other states have implemented or started to consider digital driver's licenses with costs varying for each state. For example, Iowa sought to implement digital driver's licenses in 2018 with an estimated cost at that time of \$3.5 million. It is also reported that Florida has a \$1.8 million contract with a company to develop a smartphone identification application. It is unclear if these are final costs for development and implementation of these programs or whether they would be comparable to the costs the State would incur under the bill.

The annual revenue produced by mobile driver's licenses and mobile identification cards cannot be determined at this time, largely in part due to the uncertain nature of the number of applicants and the amount of the fee that the commission may charge for the electronic documents. The amount of the fee is entirely within the discretion of the commission, so long as the fee is reasonable.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Michael D. Walker
Associate Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 1297

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JULY 3, 2025

SUMMARY

- Synopsis:** Requires MVC to create digital driver’s licenses and digital non-driver identification cards.
- Type of Impact:** Annual State expenditure increase; annual State revenue increase.
- Agencies Affected:** New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Years 1-3</u>	<u>Year 4 and After</u>
State Expenditure Increase	Indeterminate	Indeterminate
State Revenue Increase	No Impact	Indeterminate

- The Office of Legislative Services (OLS) finds that the State will incur indeterminate start-up costs to create digital driver’s licenses or digital non-driver identification cards, including the costs to design these electronic documents and other costs associated with information technology changes that such electronic documents will require. Because the OLS is unable to predict how the program will be implemented, does not have information about associated information technology hardware and software costs, and notes that the bill will not take effect until three years after enactment, the cost and revenue estimates for the bill, as well as their timing, are indeterminate.
- Beginning three years after the date of enactment, the bill would also result in indeterminate costs for the issuance of the digital driver’s licenses or digital non-driver identification cards as well as any continuing information technology costs associated with the maintenance of the digital driver’s license or digital non-driver identification card system. These costs will be offset to a certain degree by annual revenues collected by the New Jersey Motor Vehicle Commission for the electronic documents. The OLS is unable to determine the likely amounts of these revenues because the bill gives the commission discretion in setting fees for the digital driver’s licenses or digital identification cards, so long as the fees are reasonable.



BILL DESCRIPTION

This bill requires the Motor Vehicle Commission to create and issue a digital driver's license or digital non-driver identification card to any individual who requests such electronic documentation in addition to the printed, hard-copy version. The commission is authorized to charge and collect a reasonable fee for the issuance of digital driver's licenses or digital non-driver identification cards.

The bill requires the commission to prescribe a process for the issuance of digital driver's licenses and digital non-driver identification cards to prevent and detect the alteration, duplication, counterfeiting, photographing, forging, or other modification of the digital driver's license and digital non-driver identification card. The bill also requires digital driver's licenses, digital non-driver identification cards, and the motor vehicle records associated with such documentation to comply with certain provisions of current law concerning basic driver's licenses and identification cards.

Under the provisions of the bill, a verifier is prohibited from taking certain action as provided in the bill. A verifier that violates the bill's provisions is to be subject to civil penalties that are permitted to be enforced by the Office of the Attorney General in a summary proceeding. Additionally, the Office of the Attorney General is permitted to issue guidance or directives, or promulgate rules and regulations, as it deems necessary to effectuate the purposes and enforcement of the bill.

The bill allows the holders of a digital driver's license or digital identification card to update motor vehicle records and provides that the changes are to immediately become part of their motor vehicle record.

The bill is to take effect 36 months after enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the creation of digital driver's licenses and digital non-driver identification cards by the commission will result in an indeterminate one-time design cost and annual issuance and information technology costs as well as indeterminate annual State revenues. Under the bill, it is possible that the commission would not begin to issue the mobile licenses and identification cards until three years after the date of enactment. Accordingly, while the commission would incur increased up-front implementation costs before this time, annual increases in commission expenses and revenues are not expected to occur until after the third year following the date of enactment.

The cost of creating the digital driver's licenses and digital non-driver identification cards cannot be determined without more information about how the program will be implemented and how much implementation of the program may cost three years after enactment. The annual administrative cost of the program is similarly unable to be determined and will also depend on the number of individuals applying for a digital driver's license or digital non-driver identification card. Notably, the bill authorizes the commission to charge and collect a reasonable fee for the issuance of digital driver's licenses or digital non-driver identification cards.

The State may experience additional revenue increases attributable to collections of civil penalties for verifiers who violate certain actions outlined in the bill. Per the bill, a first violation carries a \$2,500 civil penalty with subsequent violations carrying a \$5,000 civil penalty.

The bill includes a requirement that the commission include features that ensure the security and integrity of the electronic documents and that a process be in place to prevent and detect certain alterations, counterfeiting, and other modifications of the electronic documents. These requirements will result in an indeterminate one-time cost to design and produce documents with the required security features as well as ongoing annual costs to ensure the security and integrity of the documents as well as detection of various modifications of the documents.

A number of other states have implemented or started to consider digital driver's licenses with costs varying for each state. For example, Iowa sought to implement digital driver's licenses in 2018 with an estimated cost at that time of \$3.5 million. It is also reported that Florida has a \$1.8 million contract with a company to develop a smartphone identification application. It is unclear if these are final costs for development and implementation of these programs or whether they would be comparable to the costs the State would incur under the bill.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Michael D. Walker
Associate Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Legislation Establishing Digital Driver's Licenses

Posted on - 07/23/2025

TRENTON – Governor Murphy today signed legislation that requires the New Jersey Motor Vehicle Commission to create digital driver's licenses and digital non-driver identification cards. Digital driver's licenses reinforce New Jersey's status as a leader in technology and innovation while making day-to-day life easier and more convenient for New Jerseyans.

Digital driver's licenses, commonly referred to as mobile driver's licenses (mDLs), offer several advantages in terms of convenience, security, and compatibility. They are accessible on smartphones and other mobile devices, making it harder for individuals to lose or forget their license or ID, and also allow residents to update their documents electronically. The bill contains several provisions to protect user security and privacy, including protections against the collection, use, retention, sharing, sale, or disclosure of any information obtained in the creation or access of digital licenses/non-driver IDs and measures to prevent tampering, duplication, and unauthorized access to data.

The bill also outlines protections afforded to a holder of a digital license/non-driver ID when using the digital license/non-driver ID. It prohibits persons and entities from requiring a holder to turn over their electronic device, including to law enforcement, to verify identity. It also provides that displaying the digital license/non-driver ID does not imply consent to a search or access to other phone data, and that information seen while verifying identity cannot be used as probable cause for a search warrant. The new legislation makes participation voluntary, ensuring those without access or interest can continue using physical licenses.

"Digital driver's licenses will make life easier for drivers across New Jersey," **said Governor Murphy**. "Innovation has always been at the core of who we are as a state, and my administration has embraced that spirit to deliver practical solutions that improve everyday life for our people. By bringing government services into the digital age, we're setting a new standard for how the public interacts with State agencies."

Currently, at least 15 states and Puerto Rico have implemented mDL programs, with another 10 states and Washington, DC planning to follow. The Fiscal Year 2025 Appropriations Act allocated \$1.5 million towards implementing mDLs, with these resources remaining available for FY2026.

The prime sponsors of [A3518/S1297](#) are Assemblywoman Annette Quijano, Assemblyman William Sampson IV, Assemblyman Clinton Calabrese, then-Senator Nellie Pou, and Senator Patrick Diegnan.

"With so much being done on smartphones these days, it's only logical to offer New Jersey residents the option of a mobile driver license or non-driver ID," **said Latrecia Littles-Floyd, Acting Chief Administrator of the Motor Vehicle Commission**. "We are excited by the signing of this legislation, which empowers the Motor Vehicle Commission to develop a secure, convenient, and user-friendly mobile ID. Our team looks forward to giving New Jerseyans greater flexibility in verifying their identity as they go about their day-to-day lives, aligning our State

and people with an increasingly digital world.”

“Delivering a first-rate customer experience has been a top priority for this administration, and with the support of our partners in the legislature, MVC is now poised to make it easier and more convenient to do business in the state,” **said New Jersey State Chief Innovation Officer Dave Cole**. “This is an exciting opportunity to improve services for New Jerseyans while strengthening the privacy and security of their digital identities.”

“With A3518 now law, New Jersey takes an important leap forward in modernizing how residents access and present state-issued identification,” **said Assemblywoman Annette Quijano**. “Digital driver’s licenses offer added convenience, enhanced security, and seamless integration into everyday life. I’m proud that this legislation will give NJ drivers the option to present their identification however they wish, whether that’s continuing to carry around a physical card or presenting it on their phones or tablets.”

“A3518 reflects our commitment to making government work better for the people of New Jersey,” **said Assemblyman William Sampson**. “Digital licenses mean residents can carry their ID securely and conveniently on their phones, whether they’re renewing it, verifying their age, or interacting with state services. This legislation is about meeting people where they are and embracing the tools that make everyday tasks easier and faster.”

“A3518 empowers the Motor Vehicle Commission to offer secure, digital versions of driver’s licenses and non-driver ID cards—giving New Jersey residents the convenience of accessing their credentials directly from their smartphones,” **said Assemblyman Clinton Calabrese**. “This is common-sense innovation. By modernizing our ID system, we are reducing wait times, enhancing public safety, and ensuring that personal information remains protected in the digital age. This legislation brings New Jersey one step closer to a more efficient, secure, and user-friendly government.

“Digital drivers’ licenses provide a modern means of carrying the identification that motorists are required to carry and are used for varied types of identification,” **said Congresswoman Nellie Pou, who sponsored the bill when she served in the New Jersey Senate**. “They are more than a convenience. They are part of verification system that is used in other states and includes added protections to keep the information secure. This is putting technology to use in a highly-useful way.”

“Digital driver’s licenses give people another way of providing identification, whether it be it to a police officer when they cannot locate their regular license or in any other situation where you need to show your identification, such as in a pharmacy or at a doctor’s office,” **said Senator Diegnan, Chair of the Senate Transportation Committee**. “Well over a dozen other states have already approved the use of digital driver’s licenses, and I’m glad that New Jersey will be joining those states in providing an additional form of convenient identification for residents.”

Posted on: July 23, 2025

Bill to Create Digital Driver's Licenses Signed into Law

Legislation will require the Motor Vehicle Commission to create digital driver's licenses and digital non-driver ID cards

(TRENTON) - Legislation that will require the New Jersey Motor Vehicle Commission (MVC) to create digital driver's licenses and digital non-driver ID cards was signed into law today. Bill **A3518**, sponsored by Assemblywoman **Annette Quijano**, Assemblyman **William Sampson**, and Assemblyman **Clinton Calabrese**, will set the foundation for residents to be able to access and display these vital credentials through a digital wallet.



"With A3518 now law, New Jersey takes an important leap forward in modernizing how residents access and present state-issued identification," **said Assemblywoman Quijano (D-Union)**. "Digital driver's licenses offer added convenience, enhanced security, and seamless integration into everyday life. I'm proud that this legislation will give NJ drivers the option to present their identification however they wish, whether that's continuing to carry around a physical card or presenting it on their phones or tablets."

Under the bill, individuals will have the option to display their driver's license in either paper or electronic form. The bill also requires the digital driver's license and digital ID to have features that ensure the security and integrity of the license and identification card and the protection of personal information, including protection against unauthorized access to such information.

"A3518 reflects our commitment to making government work better for the people of New Jersey," **said Assemblyman Sampson (D-Hudson)**. "Digital licenses mean residents can carry their ID securely and conveniently on their phones, whether they're renewing it, verifying their age, or interacting with state services. This legislation is about meeting people where they are and embracing the tools that make everyday tasks easier and faster."

"A3518 empowers the Motor Vehicle Commission to offer secure, digital versions of driver's licenses and non-driver ID cards—giving New Jersey residents the convenience of accessing their credentials directly from their smartphones," **said Assemblyman Calabrese (D-Bergen, Passaic)**. "This is common-sense innovation. By modernizing our ID system, we are reducing wait times, enhancing public safety, and ensuring that personal information remains protected in the digital age. This legislation brings New Jersey one step closer to a more efficient, secure, and user-friendly government."