

39:3-10

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3-10

(Drivers license - foreign - not required to surrender when apply for NJ license)

LAWS OF: 1983

CHAPTER: 163

Bill No: S1869

Sponsor(s): Bassano and Graves

Date Introduced: Oct. 25, 1982

Committee: Assembly: Judiciary, Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: /// No

Date of Passage: Assembly: March 14, 1983

Senate: Dec. 2, 1982

Date of Approval: May 2, 1983

Following statements are attached if available:

Sponsor statement: Yes // (Below)

Committee statement: Assembly Yes //

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// ~~No~~ Yes

Following were printed:

Reports: /// No

Hearings: /// No

Sponsors' statement:

This bill eliminates the requirement that a person surrender to the Director of the Division of Motor Vehicle a current driver's license issued to him by a foreign country upon receipt of a New Jersey driver's license.

SENATE, No. 1869

STATE OF NEW JERSEY

INTRODUCED OCTOBER 25, 1982

By Senators BASSANO and GRAVES

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning motor vehicles and amending R. S. 39:3-10.

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

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

2 39:3-10. No person shall drive a motor vehicle on a public high-
3 way in this State unless licensed to do so in accordance with this
4 article. No person under 17 years of age shall be licensed to drive
5 motor vehicles, nor shall a person be licensed until he has passed
6 a satisfactory examination as to his ability as an operator. The
7 examination shall include a test of the applicant's vision, his
8 ability to understand traffic control devices, his knowledge of safe
9 driving practices, his knowledge of such portions of the mech-
10 anism of motor vehicles as is necessary to insure the safe opera-
11 tion of a vehicle of the kind or kinds indicated by the applicant and
12 of the laws and ordinary usages of the road and a demonstration
13 of his ability to operate a vehicle of the class designated.

14 Any person applying for a driver's license to operate a motor
15 vehicle or motorized bicycle in this State shall surrender to the
16 director any current driver's license issued to him by another state
17 **[or foreign country]** upon his receipt of a driver's license for this
18 State. The director shall refuse to issue a driver's license if the
19 applicant fails to comply with this provision.

20 The director shall create classified licensing of drivers covering
21 the following classifications:

22 a. Motorcycles;

23 b. Omnibuses as classified by R. S. 39:3-10.1 and school buses
24 classified under N. J. S. 18A:39-1 et seq.;

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

25 c. Articulated vehicles means a combination of a commercial
26 motor vehicle registered at a gross weight in excess of 18,000
27 pounds and one or more motor-drawn vehicles jointed together by
28 means of a coupling device;

29 d. All motor vehicles not included in classifications a., b. and c.
30 A license issued pursuant to this classification d. shall be referred
31 to as the "basic driver's license."

32 Every applicant for a license under classification b. or c. shall
33 be a holder of a basic driver's license. Any issuance of a license
34 under classification b. or c. shall be by endorsement on the basic
35 driver's license.

36 A driver's license for motorcycles may be issued separately, but
37 if issued to the holder of a basic driver's license, it shall be by
38 endorsement on the basic driver's license.

39 The director, upon payment of the lawful fee and after he or an
40 inspector of his has examined the applicant and is satisfied of the
41 applicant's ability as an operator, may, in his discretion, license
42 the applicant to drive a motor vehicle. The license shall authorize
43 him to drive any registered vehicle, of the kind or kinds indicated,
44 and shall expire, except as otherwise provided, on the last day of
45 the forty-eighth calendar month following the calendar month in
46 which such license was issued.

47 The director may issue a renewal of a basic driver's license which
47A does not bear a photograph, and which shall expire on the last day
48 of the twenty-fourth calendar month following the calendar month
49 in which such license was issued, to any person 60 years of age or
50 older who makes application for such a license.

51 The director may, at his discretion and for good cause shown,
52 issue licenses which shall expire on a date fixed by him. The fee for
53 such licenses shall be fixed by the director in amounts proportion-
54 ately less or greater than the fee herein established.

55 The required fee for a license for the 48-month period shall be
56 as follows:

57	Motorcycle license or endorsement	\$8.00
57A	Omnibus or school bus endorsement	\$16.00
58	Articulated vehicle endorsement	\$8.00
59	Basic driver's license	\$16.00

60 The required fee for a basic driver's license for the 24 month
61 period shall be \$8.00.

62 The required fee for a license for the 36 month period shall be
63 as follows:

64	Motorcycle license or endorsement	\$6.00
65	Omnibus or school bus endorsement	\$12.00

66 Articulated vehicle endorsement \$6.00
 67 Basic driver's license \$12.00

68 The director shall waive the payment of fees for issuance of
 69 omnibus endorsements whenever an applicant establishes to the
 70 director's satisfaction that said applicant will use the omnibus
 71 endorsement exclusively for operating omnibuses owned by a
 72 nonprofit organization duly incorporated under Title 15 or 16 of
 73 the Revised Statutes.

74 The driver's license shall have the legal name of the licensee
 75 endorsed thereon in his own handwriting. For purposes of this
 76 section, legal name shall mean the name recorded on a birth cer-
 77 tificate unless otherwise changed by marriage, divorce or order of
 78 court. The director may require that only the legal name be re-
 79 corded on the driver's license. A licensee whose name is changed
 80 due to marriage, divorce, or by judgment of the court, shall notify
 81 the director of the change in name within 2 weeks after the change
 82 is made. A person who violates this provision shall be subject to
 83 a penalty of not more than \$10.00.

84 The director shall issue licenses for the following license period
 85 on and after the first day of the calendar month immediately pre-
 86 ceding the commencement of such period, such licenses to be effec-
 87 tive immediately.

88 All applications for renewals of licenses shall be made on forms
 89 prescribed by the director and in accordance with procedures
 90 established by him.

91 The director in his discretion may refuse to grant a license to
 92 drive motor vehicles to a person who is, in his estimation, not a
 93 proper person to be granted such a license, but no defect of the
 94 applicant shall debar him from receiving a license unless it can be
 95 shown by tests approved by the Director of the Division of Motor
 96 Vehicles that the defect incapacitates him from safely operating
 97 a motor vehicle.

98 A person violating this section shall be subject to a fine not ex-
 99 ceeding \$500.00 or imprisonment in the county jail for not more
 100 than 60 days, but if that person has never been licensed to drive in
 101 this State or any other jurisdiction, he shall be subject to a fine of
 102 not less than \$200.00 and, in addition, the court shall issue an order
 103 to the Director of the Division of Motor Vehicles requiring the
 104 director to refuse to issue a license to operate a motor vehicle to
 105 the person for a period of not less than 180 days. The penalties
 106 provided for by this paragraph shall not be applicable in cases
 107 where failure to have actual possession of the operator's license

108 is due to an administrative or technical error by the Division of
109 Motor Vehicles

110 Nothing in this section shall be construed to alter or extend the
111 expiration of any license issued prior to the date this amendatory
112 and supplementary act becomes operative.

1 2. This act shall take effect immediately.

STATEMENT

This bill eliminates the requirement that a person surrender
to the Director of the Division of Motor Vehicle a current driver's
license issued to him by a foreign country upon receipt of a
New Jersey driver's license.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 1869

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 1983

This bill would amend R. S. 39:3-10 to eliminate the requirement that when a person is issued a New Jersey driver's license he surrender any current driver's license issued to him by a foreign country.

The law requiring the surrendering of a foreign driver's license took effect on September 1, 1982. Previously, the Division of Motor Vehicles collected driver's licenses issued by other states, but not licenses issued by foreign countries. The law's purpose was to prevent a person whose New Jersey driver's license had been revoked or suspended from using a driver's license issued by another state or a foreign country to drive in this State.

After the law was enacted, difficulties arose with regard to the requirement of surrendering driver's licenses issued by foreign countries. There are situations in which persons from foreign countries need to retain their foreign driver's licenses. They may be in the United States only temporarily, or they may need to return to the foreign country regularly. Because in many countries a driver's license is issued for life because obtaining it involves an expensive and time-consuming procedure, a foreign driver's license is an extremely valuable document. The people involved are extremely reluctant to give up a document they may have paid \$500.00 for.

According to the Division of Motor Vehicles, a person who is a resident of New Jersey for three months or more or accepts employment in New Jersey is required to obtain a New Jersey driver's license. To cope with the problems that have arisen since this law took effect, DMV has been collecting foreign driver's licenses and telling their owners that they may retrieve them if they need to return to the foreign country. DMV cannot guarantee that several years hence it will be able to produce the foreign license, however.

This bill would permit people who have driver's licenses issued by foreign countries to keep their licenses when they are issued a New Jersey driver's license, thereby eliminating the hardship caused by the law. The bill would retain the requirement that a person in possession of a current driver's license from another state surrender that license when issued a New Jersey driver's license.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
SENATE, No. 1869

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1982

This bill would amend R. S. 39:3-10 to eliminate the requirement that when a person is issued a New Jersey driver's license he surrender any current driver's license issued to him by a foreign country.

The law requiring the surrendering of a foreign driver's license took effect on September 1, 1982. Previously, the Division of Motor Vehicles collected driver's licenses issued by other states, but not licenses issued by foreign countries. The purpose of the new law was to prevent a person whose New Jersey driver's license had been revoked or suspended from using a driver's license issued by another state or a foreign country to drive in this State.

After the law was enacted, difficulties arose with regard to the requirement of surrendering driver's licenses issued by foreign countries. There are situations in which persons from foreign countries need to retain their foreign driver's licenses. They may be in the United States only temporarily, or they may need to return to the foreign country regularly. Because in many countries a driver's license is issued for life and because obtaining it involves an expensive and time-consuming procedure, a foreign driver's license is an extremely valuable document.

This bill would permit people who have driver's licenses issued by foreign countries to keep their licenses when they are issued a New Jersey driver's license, thereby eliminating the hardships that have arisen as a result of the law. The bill would retain the requirement that a person in possession of a current driver's license from another state surrender that license when issued a New Jersey driver's license.

OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

CONTACT: CARL GOLDEN

MONDAY, MAY 2, 1983

Governor Thomas H. Kean today signed the following bills:

S-1754, sponsored by Senator C. Louis Bassano, R-Union, to expand the current drivers' license examination to include information and questions concerning alcohol or drugs as related to highway safety.

S-1869, also sponsored by Senator Bassano, to eliminate the requirement that a person surrender a current drivers' license issued by a foreign country upon receipt of a New Jersey drivers' license.

S-866, sponsored by Senator Raymond Zane, D- Gloucester, to appropriate \$61,614 to the Department of Agriculture to indemnify the owners of several cattle dairy herds which the Department has determined must be destroyed due to the incidence of brucellosis, a contagious and fatal disease.

S-1604, sponsored by Senator Wynona Lipman, D-Essex, to appropriate \$115,000 to the Newark Public Library. The bill was conditionally vetoed by the Governor to reduce the amount from \$200,000 as originally provided. The additional \$85,000 would be provided by legislative passage of a bill to provide an additional \$2.05 million appropriation for additional aid to libraries throughout the state.

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