

39:3-10; 39:3-10F to 39:3-10i

LEGISLATIVE HISTORY CHECKLIST

WJSA 39:3-10, 39:3-10F to 39:3-10i (Motor vehicles--Drivers' licenses--color photos)

LAWS OF 1979 CHAPTER 261

Bill No. S3044

Sponsor(s) Graves and others

Date Introduced Jan. 18, 1979

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Law, Public Safety and Defense

Amended during passage Yes ~~xx~~ Amendments during passage denoted by asterisks. S3044 substituted for A3261 (original bill, OCR & Assembly Committee statement attached)

Date of Passage: Assembly July 16, 1979

Senate Feb. 22, 1979

Date of approval Jan. 2, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~ (Below) Also attached: Senate amendments adopted 2-20-79 (with statement)

Committee Statement: Assembly Yes ~~xx~~

Senate Yes ~~xx~~ No

Fiscal Note Yes ~~xx~~

Veto message Yes ~~xx~~ No

Message on signing Yes ~~xx~~ No

Following were printed:

Reports Yes ~~xx~~ No

Hearings Yes ~~xx~~

Sponsor's statement:

This bill provides for the issuance of motor vehicle drivers licenses with the licensees' photograph affixed thereto.

The bill requires photographs on newly issued licenses and makes their inclusion optional with respect to renewals of licenses.

(over)

9/1/78

Do Not Remove From Library

974.90 NJ. Legislature. Assembly. Judiciary, Law, Public Safety  
L767 and Defense Committee.  
1979 Public hearing on S1126...held 1-23-79, 2-5-79 and  
2-6-79. Trenton, 1979.  
(See especially v.1--pp.4A-7A  
v.2--pp.79-80, 111-112  
v.3--pp.21A-22A)

Public hearings also held in Nutley, NJ on  
6-12-78--no transcript available

Throughout public hearings, see references to  
legislation from other states, reports, studies, etc.

[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 3044

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1979

By Senators GRAVES, ORECHIO, FORAN, RODGERS and DORSEY

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning motor vehicle drivers' licenses\*, *amending R. S. 39:3-10\** and supplementing chapter 3 of Title 39 of the Revised Statutes.

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

1 1. In addition to the requirements for the form and content of a  
2 motor vehicle driver's license under R. S. 39:3-10, each *\*\*\*initial*  
3 *New Jersey\*\*\** license issued *\*\*\*to a person under the age of 21\*\*\**  
4 after the effective date of this act shall have a *\*\*color\*\** photo-  
5 graph of the licensee. *\*\*\*[Upon each renewal thereof, the licensee*  
6 *shall have the option of having his \*\*color\*\* photograph on the*  
7 *license]\*\*\** *\*\*\*Any other initial licensee shall have the option of*  
8 *obtaining a license with his color photograph on it.\*\*\**

9 *\*\*\*To replace an initial photo-license for a licensee who is tem-*  
10 *porarily out of this State, the director may issue a "valid without*  
11 *photo" photo-license for the unexpired term of the license.\*\*\**

1 2. The director is authorized, empowered and directed to pro-  
2 mulgate rules and regulations governing the size, type *\*\*[, color]\*\**  
3 and other essential characteristics of the *\*\*color\*\** photograph and  
4 its affixation to the driver's license *\*\*[and the]\*\** *\*\*\*. The\*\** fee for  
5 such photograph shall be fixed by the director based upon the actual  
6 cost incurred by the Division of Motor Vehicles in the implementa-  
7 tion and administration of this act, but shall not exceed  
8 *\*\*\*[\$1.00]\*\*\** *\*\*\*\$1.50\*\*\** for each license or renewal thereof, and  
9 shall be in addition to the fee presently authorized for the issuance  
10 of a driver's license *\*\*\*[\*\*with a photograph\*\*]\*\*\** *\*\*\*pursuant*  
11 *to R. S. 39:3-10\*\*\*.*

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

1    \*\*[3. The director shall provide for the use of such process or  
2 processes in the issuance of licenses with photographs in color that  
3 prohibit as near as possible, the ability to alter, counterfeit, dupli-  
4 cate, photograph, forge or modify the license or prohibit the  
5 ability to superimpose a photograph other than the authorized  
6 original on such license without ready detection.]\*\*\*

7    \*\*3. The director shall provide for the use of a process or proc-  
8 esses in the issuance of licenses with photographs that prevent, to  
9 the extent possible, the alteration, duplication, counterfeiting, pho-  
10 tographing, forging or other modification of the license and prevent  
11 the superimposition of a photograph other than the authorized  
12 original on such license.\*\*

1    \*[3.] \*4.\* Any person licensed prior to the effective date of this  
2 act \*\*\*[may, prior to 30 days before the expiration date of his  
3 license, surrender his license to the division so that it may issue]\*\*\*\*  
4 \*\*\*shall, at the time of renewal, have the option of obtaining\*\*\* a  
5 license with a \*\*color\*\* photograph affixed.

1    \*5. 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 mechanism  
10 of motor vehicles as is necessary to insure the safe operation of a  
11 vehicle of the kind or kinds indicated by the applicant and of the  
12 laws and ordinary usages of the road and a demonstration of his  
13 ability to operate a vehicle of the class designated.

14    The director shall create classified licensing of drivers covering  
15 the following classifications:

- 16    a. Motorcycles;
- 17    b. Omnibuses as classified by R. S. 39:3-10.1 and school buses  
18 classified under N. J. S. 18A :39-1 et seq.;
- 19    c. Articulated vehicles means a combination of a commercial  
20 motor vehicle registered at a gross weight in excess of 18,000  
21 pounds and one or more motor-drawn vehicles joined together by  
22 means of a coupling device.
- 23    d. All motor vehicles not included in classifications a., b. and c.  
24 A license issued pursuant to this classification d. shall be referred  
25 to as the "basic driver's license."

26 Every applicant for a license under classification b. or c. must  
 27 be a holder of a basic driver's license. Any issuance of a license  
 28 under classification b. or c. shall be by endorsement on the basic  
 29 driver's license.

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

33 The director, upon payment of the lawful fee and after he or an  
 34 inspector of his has examined the applicant and is satisfied of the  
 35 applicant's ability as an operator, may, in his discretion, license  
 36 the applicant to drive a motor vehicle. The license shall authorize  
 37 him to drive any registered vehicle, of the kind or kinds indicated,  
 38 and shall expire on the last day of the twenty-fourth calendar  
 39 month following the calendar month in which such license was  
 40 issued, *provided, however, that in the case of a license bearing a*  
 41 *photograph of the licensee as provided by law, such license shall*  
 42 *expire on the last day of the thirty-sixth calendar month following*  
 43 *the calendar month in which such license was issued.* The director  
 44 may, at his discretion and for good cause shown, issue licenses  
 45 which shall expire on a date fixed by him. The fee for such licenses  
 46 shall be fixed by the director in amounts proportionately less or  
 47 greater than the fee herein established.

48 The required fee for a license for the 24-month period shall  
 49 be as follows:

50	Motorcycle license or endorsement .....	\$4.00
51	Omnibus or school bus endorsement .....	\$8.00
52	Articulated vehicle endorsement .....	\$4.00
53	Basic driver's license .....	\$8.00

54 *The required fee for a license for the 36 month period shall be*  
 55 *\*\*\*~~[\$12.00.]~~\*\*\* as follows:*

55A	<i>Motorcycle license or endorsement .....</i>	<i>\$6.00</i>
55B	<i>Omnibus or school bus endorsement .....</i>	<i>\$12.00</i>
55C	<i>Articulated vehicle endorsement .....</i>	<i>\$6.00</i>
55D	<i>Basic driver's license .....</i>	<i>\$12.00***</i>

56 The driver's license shall have the legal name of the licensee  
 57 endorsed thereon in his own handwriting. For purposes of this  
 58 section, legal name shall mean the name recorded on a birth cer-  
 59 tificate unless otherwise changed by marriage, divorce or order of  
 60 court. The director may require that only the legal name be re-  
 61 corded on the driver's license. A licensee whose name is changed  
 62 due to marriage, divorce, or by judgment of court, shall notify the  
 63 director of the change in name within 2 weeks after the change is  
 64 made. A person who violates this provision shall be subject to a  
 65 penalty of not more than \$10.00.

66 The director shall issue licenses for the following license period  
 67 on and after the first day of the calendar month immediately pre-  
 68 ceding the commencement of such period, such licenses to be effec-  
 69 tive immediately.

70 All applications for renewals of licenses shall be made on forms  
 71 prescribed by the director, which forms shall be mailed by the  
 72 director from the central office of the division to the last addresses  
 73 of the licensed drivers as they appear on the records of the division.  
 74 Upon the return by mail of such forms, accompanied by the requi-  
 75 site fees, the director shall issue renewals of such licenses by mail  
 76 from the central office of the division.] *and in accordance with pro-*  
 77 *cedures established by him.*

78 The director in his discretion may refuse to grant a license to  
 79 drive motor vehicles to a person who is, in his estimation, not a  
 80 proper person to be granted such a license, but no defect of the  
 81 applicant shall debar him from receiving a license unless it can  
 82 be shown by tests approved by the Director of the Division of Motor  
 83 Vehicles that the defect incapacitates him from safely operating  
 84 a motor vehicle.

85 A person violating this section shall be subject to a fine not ex-  
 86 ceeding \$500.00 or imprisonment in the county jail for not more  
 87 than 60 days.

88 Nothing in this section shall be construed to alter or extend the  
 89 expiration of any license issued prior to the date this amendatory  
 90 and supplementary act becomes operative.\*

1 \***[4.]**\* \*6.\* \*\*\***[**This act shall take effect \*\***[**6 months after  
 2 enactment**]**\*\* \*\**immediately, but sections 1 to 3 and 5 shall remain*  
 3 *inoperative for 6 months following enactment and section 4 shall*  
 4 *remain inoperative for 2 years following enactment\*\*.**]**\*\*\* \*\**Sec-*  
 5 *tions 1, 2, 3 and 5 of this act shall take effect 9 months following*  
 6 *enactment and section 4 shall take effect 2 years following enact-*  
 7 *ment.\*\*\***

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

**SENATE, No. 3044**

[SECOND OFFICIAL COPY REPRINT]

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 3, 1979

This bill is part of the package of youth/alcohol legislation developed as a result of the work of the Assembly Judiciary, Law, Public Safety and Defense Committee.

This bill requires that a photograph of the licensee be on all initial driver's licenses issued to persons under 21. At the option of the applicant, initial driver's licenses issued to persons 21 and over may have a photograph. Effective 2 years from enactment, a person may choose to have a photo-license upon any license renewal.

The charge for the photo on the license will be no more than \$1.50, over and above the regular cost of the license. The regular cost of a license is \$4.00 per year. Licenses with photos will be for 3 year periods, as opposed to the 2 year periods for licenses without photos. Thus, the cost of a license with a photo would be up to \$13.50. The Division of Motor Vehicles is given a 9 month start-up time for putting photos on initial licenses, and is given a 2 year start-up time for putting photos on license renewals.

The photo-license will provide an effective identification for young people, in particular when they are purchasing alcoholic beverages.

The bill will provide a more effective method of identification in cases of alcoholic beverage purchases by young people. The falsification of and illicit transferring of I.D.'s has been a major problem in the enforcement of drinking-age laws. Having a photo-license will help solve this problem and provide an easier, more reliable method for sellers to determine, and for youthful buyers to prove, eligibility for purchasing alcoholic beverages. Along with the mandated county photo-I.D. program, being extended by another bill in this package, the photo-driver's license should result in almost all young people having a government authorized photo-I.D. The bill would also provide, for those who choose it, an ongoing general purpose photo-I.D.

SENATE AMENDMENTS TO  
**SENATE, No. 3044**  
[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

ADOPTED FEBRUARY 20, 1979

Amend page 1, section 1, line 3, after "have a", insert "color".

Amend page 1, section 1, line 5, after "his", insert "color".

Amend page 1, section 2, line 2, omit ", color".

Amend page 1, section 2, line 3, after "of the", insert "color".

Amend page 1, section 2, line 4, omit ", and the", insert ". The".

Amend page 1, section 2, line 9, after "license", insert "with a photograph".

Amend page 1, section 3, omit.

Amend page 1, after section 3, insert a new section 3 as follows:

"3. The director shall provide for the use of a process or processes in the issuance of licenses with photographs that prevent, to the extent possible, the alteration, duplication, counterfeiting, photographing, forging or other modification of the license and prevent the superimposition of a photograph other than the authorized original on such license."

Amend page 1, section 4, line 4, after "with a", insert "color".

Amend page 4, section 6, line 1, omit "6 months after enactment", insert "immediately, but sections 1 to 3 and 5 shall remain inoperative for 6 months following enactment and section 4 shall remain inoperative for 2 years following enactment".

**STATEMENT**

These amendments clarify the intent of the sponsor that the photograph required be in color. They also make clear the actions necessary by the director to prevent fraud. Other amendments are technical in nature, except the final one which makes section 4 of the bill (dealing with optional photographs on renewals) effective 2 years after enactment.



FISCAL NOTE TO  
**SENATE, No. 3044**  
[SECOND OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: JUNE 28, 1979

Assembly Reprint to Senate Bill No. 3044, Second Official Reprint, requires that a photograph of the licensee be on all initial driver's licenses issued to persons under 21. At the option of the applicant, initial driver's licenses issued to persons 21 and over may have a photograph. Effective 2 years from enactment, a person may choose to have a photo-license upon any license renewal.

The Department of Law and Public Safety estimates that enactment of this legislation would require a State expenditure of \$35,754.00 for 6 months in fiscal 1979-80, and \$67,788.00 in fiscal 1980-81.

The department further states that any attempt to estimate the net cost of implementation of this bill in fiscal year 1982 is purely speculative because of the impossibility to determine the number of licensees who will seek photo-license renewals at that time. This will become further complicated by the effect of the change from the present 2 year period to a 3 year period for photo-license expiration.

Keeping in mind that there are approximately 4.8 million driver licensees who will be on an alternating 2 year renewal cycle at the time of implementation of Section 4 of this bill, the number of renewal applicants requesting photo-licenses may run from as little as 200,000 or 300,000 to as much as a maximum of 2.4 million. The following estimate is based on 40% of the maximum possible renewals plus initial 17 year olds.

Maximum of 2.4 assume 50% requirement .....	1,200,000
Add initial 17 year olds .....	100,000
	<u>1,300,000</u>

Estimate FY 80 costs @ \$1.26  
Add inflation salaries  
and supplies 15% ..... .19

1.45

Add additional agency costs (staffing and equipment 10%) .....	.15	
	<u>          </u>	
	$\$1.60 \times 1,300,000 =$	$\$2,080,000$
Revenue \$1.00 each .....		<u>1,300,000</u>
Deficit FY 1982 .....		<u><u>\\$( 780,000)</u></u>

The Office of Legislative Services suggests that the \$1.60 cost for renewal in 1982 as indicated in the department's calculation on cost breakdown could be lower. If this were true, the deficit for 1982 would also be proportionately lower.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

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# ASSEMBLY, No. 3261

## STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen MAYS, MARTIN, FLYNN, THOMPSON, BATE,  
VAN WAGNER, HERMAN, KERN and STEWART

Referred to Committee on Transportation and Communications

AN ACT concerning motor vehicle drivers' licenses, amending  
R. S. 39:3-10 and supplementing chapter 3 of Title 39 of the  
Revised Statutes.

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

1 1. In addition to the requirements for the form and content of a  
2 motor vehicle driver's license under R. S. 39:3-10, each license  
3 issued after the effective date of this act shall have a color photo-  
4 graph of the licensee. Upon each renewal thereof, the licensee  
5 shall have the option of having his color photograph on the license.

1 2. The director is authorized, empowered and directed to pro-  
2 mulgate rules and regulations governing the size, type and other  
3 essential characteristics of the color photograph and its affixation  
4 to the driver's license. The fee for such photograph shall be fixed  
5 by the director based upon the actual cost incurred by the Division  
6 of Motor Vehicles in the implementation and administration of this  
7 act, but shall not exceed \$1.00 for each license or renewal thereof,  
8 and shall be in addition to the fee presently authorized for the  
9 issuance of a driver's license.

1 3. The director shall provide for the use of a process or proc-  
2 esses in the issuance of licenses with photographs that prevent, to  
3 the extent possible, the alteration, duplication, counterfeiting, pho-  
4 tographing, forging or other modification of the license and prevent  
5 the superimposition of a photograph other than the authorized  
6 original on such license.

1 4. Any person licensed prior to the effective date of this act may,  
2 prior to 30 days before the expiration date of his license, surrender  
3 his license to the division so that it may issue a license with a color  
4 photograph affixed.

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

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

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 mechanism  
 10 of motor vehicles as is necessary to insure the safe operation of a  
 11 vehicle of the kind or kinds indicated by the applicant and of the  
 12 laws and ordinary usages of the road and a demonstration of his  
 13 ability to operate a vehicle of the class designated.

14 The director shall create classified licensing of drivers covering  
 15 the following classifications:

16 a. Motorcycles;

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

19 c. Articulated vehicles means a combination of a commercial  
 20 motor vehicle registered at a gross weight in excess of 18,000  
 21 pounds and one or more motor-drawn vehicles joined together by  
 22 means of a coupling device.

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

26 Every applicant for a license under classification b. or c. must  
 27 be a holder of a basic driver's license. Any issuance of a license  
 28 under classification b. or c. shall be by endorsement on the basic  
 29 driver's license.

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

33 The director, upon payment of the lawful fee and after he or an  
 34 inspector of his has examined the applicant and is satisfied of the  
 35 applicant's ability as an operator, may, in his discretion, license  
 36 the applicant to drive a motor vehicle. The license shall authorize  
 37 him to drive any registered vehicle, of the kind or kinds indicated,  
 38 and shall expire on the last day of the twenty-fourth calendar  
 39 month following the calendar month in which such license was  
 40 issued, *provided, however, that in the case of a license bearing a*  
 41 *photograph of the licensee as provided by law, such license shall*  
 42 *expire on the last day of the thirty-sixth calendar month following*  
 43 *the calendar month in which such license was issued.* The director

44 may, at his discretion and for good cause shown, issue licenses  
 45 which shall expire on a date fixed by him. The fee for such licenses  
 46 shall be fixed by the director in amounts proportionately less or  
 47 greater than the fee herein established.

48 The required fee for a license for the 24-month period shall  
 49 be as follows:

50	Motorcycle license or endorsement .....	\$4.00
51	Omnibus or school bus endorsement .....	\$8.00
52	Articulated vehicle endorsement .....	\$4.00
53	Basic driver's license .....	\$8.00

54 *The required fee for a license for the 36-month period shall be*  
 55 *\$12.00.*

56 The driver's license shall have the legal name of the licensee  
 57 endorsed thereon in his own handwriting. For purposes of this  
 58 section, legal name shall mean the name recorded on a birth cer-  
 59 tificate unless otherwise changed by marriage, divorce or order of  
 60 court. The director may require that only the legal name be re-  
 61 corded on the driver's license. A licensee whose name is changed  
 62 due to marriage, divorce, or by judgment of court, shall notify the  
 63 director of the change in name within 2 weeks after the change is  
 64 made. A person who violates this provision shall be subject to a  
 65 penalty of not more than \$10.00.

66 The director shall issue licenses for the following license period  
 67 on and after the first day of the calendar month immediately pre-  
 68 ceding the commencement of such period, such licenses to be effec-  
 69 tive immediately.

70 All applications for renewals of licenses shall be made on forms  
 71 prescribed by the director, which forms shall be mailed by the  
 72 director from the central office of the division to the last addresses  
 73 of the licensed drivers as they appear on the records of the division.  
 74 Upon the return by mail of such forms, accompanied by the requi-  
 75 site fees, the director shall issue renewals of such licenses by mail  
 76 from the central office of the division.] *and in accordance with pro-*  
 77 *cedures established by him.*

78 The director in his discretion may refuse to grant a license to  
 79 drive motor vehicles to a person who is, in his estimation, not a  
 80 proper person to be granted such a license, but no defect of the  
 81 applicant shall debar him from receiving a license unless it can  
 82 be shown by tests approved by the Director of the Division of Motor  
 83 Vehicles that the defect incapacitates him from safely operating  
 84 a motor vehicle.

85 A person violating this section shall be subject to a fine not ex-  
86 ceeding \$500.00 or imprisonment in the county jail for not more  
87 than 60 days.

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

1 6. Sections 1, 2, 3 and 5 of this act shall take effect 6 months  
2 following enactment and section 4 shall take effect 2 years following  
3 enactment.

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#### STATEMENT

This bill is part of the package of youth/alcohol legislation developed as a result of the work of the Assembly Judiciary, Law, Public Safety and Defense Committee.

This bill requires that a photograph of the licensee be on all initial driver's licenses. Upon any license renewal, the licensee may choose to have his photo on the license. The charge for the photo on the license will be no more than \$1.00, over and above the regular cost of the license. The regular cost of a license is \$4.00 per year. Licenses with photos will be for 3 year periods, as opposed to the 2 year periods for licenses without photos. Thus, the cost of a license with a photo would be between \$12.00 and \$13.00. The Division of Motor Vehicles is given a 6 month start-up time for putting photos on newly-issued licenses, and is given a 2 year start-up time for putting photos on license renewals.

The primary purpose of the bill is to provide a more effective method of identification in cases of alcoholic beverage purchases by young people. The falsification of and illicit transferring of I.D.'s has been a problem endemic to the enforcement of drinking-age laws. Having a photo-I.D. should inhibit falsification and transferring, and provide an easier more reliable method for sellers to determine and for youthful buyers to prove eligibility for purchasing alcoholic beverages. Along with the mandated county photo-I.D. program, being revised by another bill in this package, the photo-driver's license should result in almost all young people having a government authorized photo-I.D.

A secondary function of the bill is to provide, for those who choose it, an ongoing general purpose photo-I.D.

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[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 3261

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen MAYS, MARTIN, FLYNN, THOMPSON, BATE,  
VAN WAGNER, HERMAN, KERN and STEWART

Referred to Committee on Transportation and Communications

AN ACT concerning motor vehicle drivers' licenses, amending  
R. S. 39:3-10 and supplementing chapter 3 of Title 39 of the  
Revised Statutes.

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

1 1. In addition to the requirements for the form and content of a  
2 motor vehicle driver's license under R. S. 39:3-10, each *\*initial New*  
3 *Jersey\** license issued *\*to a person under the age of 21\** after the  
4 effective date of this act shall have a color photograph of the  
5 licensee. **\*[Upon each renewal thereof, the licensee shall have the**  
6 **option of having his color photograph on the license.]\*** *\*Any other*  
7 *initial licensee shall have the option of obtaining a license with his*  
8 *color photograph on it.\**

9 *\*To replace an initial photo-license for a licensee who is temp-*  
10 *orarily out of this State, the director may issue a "valid without*  
11 *photo" photo-license for the unexpired term of the license.\**

1 2. The director is authorized, empowered and directed to pro-  
2 mulgate rules and regulations governing the size, type and other  
3 essential characteristics of the color photograph and its affixation  
4 to the driver's license. The fee for such photograph shall be fixed  
5 by the director based upon the actual cost incurred by the Division  
6 of Motor Vehicles in the implementation and administration of this  
7 act, but shall not exceed **\*[\$1.00]\*** *\*\$1.50\** for each license or  
8 renewal thereof and shall be in addition to the fee presently  
9 authorized for the issuance of a driver's license *\*pursuant to R. S.*  
10 *39:3-10\**.

1 3. The director shall provide for the use of a process or proc-  
2 esses in the issuance of licenses with photographs that prevent, to  
3 the extent possible, the alteration, duplication, counterfeiting, pho-

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

4 tographing, forging or other modification of the license and prevent  
5 the superimposition of a photograph other than the authorized  
6 original on such license.

1 4. Any person licensed prior to the effective date of this act  
2 \***【**may, prior to 30 days before the expiration date of his license,  
3 surrender his license to the division so that it may issue**】**\* *shall,*  
4 *at the time of renewal, have the option of obtaining\** a license with  
5 a color photograph affixed.

1 5. 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 mechanism  
10 of motor vehicles as is necessary to insure the safe operation of a  
11 vehicle of the kind or kinds indicated by the applicant and of the  
12 laws and ordinary usages of the road and a demonstration of his  
13 ability to operate a vehicle of the class designated.

14 The director shall create classified licensing of drivers covering  
15 the following classifications:

16 a. Motorcycles;

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

19 c. Articulated vehicles means a combination of a commercial  
20 motor vehicle registered at a gross weight in excess of 18,000  
21 pounds and one or more motor-drawn vehicles joined together by  
22 means of a coupling device.

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

26 Every applicant for a license under classification b. or c. must  
27 be a holder of a basic driver's license. Any issuance of a license  
28 under classification b. or c. shall be by endorsement on the basic  
29 driver's license.

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

33 The director, upon payment of the lawful fee and after he or an  
34 inspector of his has examined the applicant and is satisfied of the

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35 applicant's ability as an operator, may, in his discretion, license  
36 the applicant to drive a motor vehicle. The license shall authorize  
37 him to drive any registered vehicle, of the kind or kinds indicated,  
38 and shall expire on the last day of the twenty-fourth calendar  
39 month following the calendar month in which such license was  
40 issued, *provided, however, that in the case of a license bearing a*  
41 *photograph of the licensee as provided by law, such license shall*  
42 *expire on the last day of the thirty-sixth calendar month following*  
43 *the calendar month in which such license was issued.* The director  
44 may, at his discretion and for good cause shown, issue licenses  
45 which shall expire on a date fixed by him. The fee for such licenses  
46 shall be fixed by the director in amounts proportionately less or  
47 greater than the fee herein established.

48 The required fee for a license for the 24-month period shall  
49 be as follows:

50	Motorcycle license or endorsement .....	\$4.00
51	Omnibus or school bus endorsement .....	\$8.00
52	Articulated vehicle endorsement .....	\$4.00
53	Basic driver's license .....	\$8.00

54 *The required fee for a license for the 36-month period shall be*  
55 *\*[~~\$12.00.~~]\* as follows:\**

55A	<i>Motorcycle license or endorsement .....</i>	<i>\$6.00</i>
55B	<i>Omnibus or school bus endorsement .....</i>	<i>\$12.00</i>
55C	<i>Articulated vehicle endorsement .....</i>	<i>\$6.00</i>
55D	<i>Basic driver's license .....</i>	<i>\$12.00</i>

56 The driver's license shall have the legal name of the licensee  
57 endorsed thereon in his own handwriting. For purposes of this  
58 section, legal name shall mean the name recorded on a birth cer-  
59 tificate unless otherwise changed by marriage, divorce or order of  
60 court. The director may require that only the legal name be re-  
61 corded on the driver's license. A licensee whose name is changed  
62 due to marriage, divorce, or by judgment of court, shall notify the  
63 director of the change in name within 2 weeks after the change is  
64 made. A person who violates this provision shall be subject to a  
65 penalty of not more than \$10.00.

66 The director shall issue licenses for the following license period  
67 on and after the first day of the calendar month immediately pre-  
68 ceding the commencement of such period, such licenses to be effec-  
69 tive immediately.

70 All applications for renewals of licenses shall be made on forms  
71 prescribed by the director, which forms shall be mailed by the  
72 director from the central office of the division to the last addresses  
73 of the licensed drivers as they appear on the records of the division.

74 Upon the return by mail of such forms, accompanied by the requi-  
75 site fees, the director shall issue renewals of such licenses by mail  
76 from the central office of the division. **]** *and in accordance with pro-*  
77 *cedures established by him.*

78 The director in his discretion may refuse to grant a license to  
79 drive motor vehicles to a person who is, in his estimation, not a  
80 proper person to be granted such a license, but no defect of the  
81 applicant shall debar him from receiving a license unless it can  
82 be shown by tests approved by the Director of the Division of Motor  
83 Vehicles that the defect incapacitates him from safely operating  
84 a motor vehicle.

85 A person violating this section shall be subject to a fine not ex-  
86 ceeding \$500.00 or imprisonment in the county jail for not more  
87 than 60 days.

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

1 6. Sections 1, 2, 3 and 5 of this act shall take effect **\*[6]\* \*9\***  
2 months following enactment and section 4 shall take effect 2 years  
3 following enactment.

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3261**  
with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 3, 1979

This bill is part of the package of youth/alcohol legislation developed as a result of the work of the Assembly Judiciary, Law, Public Safety and Defense Committee.

This bill requires that a photograph of the licensee be on all initial driver's licenses issued to persons under 21. At the option of the applicant, initial driver's licenses issued to persons 21 and over may have a photograph. Effective 2 years from enactment, a person may choose to have a photo-license upon any license renewal.

The charge for the photo on the license will be no more than \$1.50, over and above the regular cost of the license. The regular cost of a license is \$4.00 per year. Licenses with photos will be for 3 year periods, as opposed to the 2 year periods for licenses without photos. Thus, the cost of a license with a photo would be up to \$13.50. The Division of Motor Vehicles is given a 9 month start-up time for putting photos on initial licenses, and is given a 2 year start-up time for putting photos on license renewals.

The photo-license will provide an effective identification for young people, in particular when they are purchasing alcoholic beverages.

The falsification of and illicit transferring of I.D.'s has been a major problem in the enforcement of drinking-age laws. Having a photo-license will help solve this problem and provide an easier, more reliable method for sellers to determine, and for youthful buyers to prove, eligibility for purchasing alcoholic beverages. Along with the mandated county photo-I.D. program, being extended by another bill in this package, the photo-driver's license should result in almost all young people having a government authorized photo-I.D. The bill would also provide, for those who choose it, an ongoing general purpose photo-I.D.