

39:3-41

LEGISLATIVE HISTORY CHECKLIST

HJSA 39:3-41 (Revise driver's manual and written exam)
 LAWS OF 1977 CHAPTER 24 (Part of MV package)
 Bill No. S1417
 Sponsor(s) Maressa & Vreeland
 Date Introduced April 26, 1976
 Committee: Assembly Transportation & Communications
 Senate Law, Public Safety & Defense
 Amended during passage ~~Yes~~ No
 Date of Passage: Assembly Dec. 6, 1977
 Senate June 3, 1976
 Date of approval February 24, 1977

Following statements are attached if available:

Sponsor statement	Yes	No	(Below)
Committee Statement: Assembly	Yes	No	
Senate	Yes	No	
Fiscal Note	Yes	No	
Veto Message	Yes	No	
Message on signing	Yes	No	

Following were printed:

Reports	Yes	No
Hearings	Yes	No

Sponsor's Statement:

This bill embodies the recommendations of the Motor Vehicle Study Commission appearing on pages 12 and 55 of its September, 1975 Report calling for revisions of the driver manual and examination

(Over)

9/1/73
M.S.

KD

Report mentioned in sponsor's statement:

974.90 N.J. Motor Vehicle Study Commission.
A939 Report. Trenton, 1975.
1975 "Driver Manual" - p.7-14
"Written Examination" - p.49-57.

See also:

974.90 N.J. Division of Motor Vehicles.
A939 Background information on the implementation
1977d of motor vehicle study commission laws to go into
effect 9-1-77.

SENATE, No. 1417

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1976

By Senators MARESSA and VREELAND

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning motor vehicles and traffic regulations, and amend-
ing R. S. 39:3-41.

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

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

2 39:3-41. a. At the time of the issuance of an examination permit
3 or a special learner's permit to operate a motor vehicle, the [com-
4 missioner] director shall [give] make available to each applicant
5 for the examination permit or special learner's permit a [com-
6 pendium of this Title] driver's manual containing information re-
7 quired to be known and followed by licensed drivers relating to
8 licensing requirements.

9 b. At the time of any required examination for renewal of a
10 driver's license, the director shall upon request make available to
11 each applicant for renewal a copy of the manual and any supple-
12 ments thereto.

13 c. The driver's manual and any supplements thereto or any other
14 booklet or writing prepared in connection with examinations for
15 drivers' licenses or for renewals of drivers' licenses shall contain
16 all information necessary to answer any question on an examination
17 for a driver's license or for a renewal of a driver's license.

1 2. This act shall take effect immediately but shall remain in-
2 operative for a period of 1 year and until the first day of the month
3 next occurring thereafter, except that the director in his discretion
4 may comply with any of the provisions of this act prior to the
5 termination of the inoperative period.

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

STATEMENT

This bill embodies the recommendations of the Motor Vehicle Study Commission appearing on pages 12 and 55 of its September, 1975 Report calling for revisions of the driver manual and examination.

REFERENCE USE ONLY

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 1417

STATE OF NEW JERSEY

DATED: MAY 21, 1976

This bill embodies recommendations of the Motor Vehicle Study Commission as contained in their *Report* submitted in September, 1975 which are intended to upgrade driver proficiency by revising both the driver's manual and the written examination. The present statute requires a compendium of the New Jersey motor vehicle laws (Title 39) to be made available to all applicants for a driver learner's permit.

This bill would continue this provision, with minor adjustments, by statutorily requiring copies to be made available to examination permit holders, special learner's permit holders. The bill would also provide for supplemental manuals in support of the driver reexamination program established pursuant to Senate Bill No. 1422, a companion bill to this measure. The bill will also remove the requirement that the manual simply be a compendium of Title 39.

It is anticipated that with the passage of this bill the manual can be revised to be more clearly understandable, contain valuable safe driving information and be more closely correlated with the written examination. The commission suggested in its report that the examination be subsequently upgraded to reflect these changes in an effort to have the examination test safe driving knowledge rather than just ready ability or knowledge of the vehicle code.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FEBRUARY 24, 1977

FOR FURTHER INFORMATION

ED RAMSEY

A series of bills which will have a major impact on the State's more than 4.5 million motorists was signed into law today by Governor Brendan Byrne.

The new laws revise the Driver Manual, require licensed drivers to take eye tests every ten years, allow for the erasing of points for violation-free driving and establish a single standard for the drinking and driving offense.

"These laws will update the State's motor vehicle regulations and will provide a basis for improving safety on our highways," said Byrne.

The bills were based on recommendations made to the Governor and Legislature by the Motor Vehicle Study Commission headed by Barry H. Evenchick, a Newark lawyer. The seventeen member commission held numerous working sessions and three public hearings before issuing a report in September, 1975 with recommendations designed to deal with the problems of highway safety and improved effectiveness of the Division of Motor Vehicles.

The bills, (S-1416, S-1417, S-1419, S-1420, S-1422, S-1423), all sponsored by Senator Joseph A. Maressa, D-Camden, provide that:

- All driver license applicants with no prior driving experience will, after successfully completing the written and road test, be issued a probationary license for the first two years. The license document will look the same as all other New Jersey licenses, but during the two year probationary period the new driver's accident and violation records will be carefully

monitored and remedial action, when indicated, will be instituted before illegal or dangerous driving habits become ingrained. The age for a driving permit will be lowered to 16 for use in driver education courses. At age 16 1/2, the new driver may use the permit for practice driving between sunrise and sunset when accompanied by a licensed driver with at least three years experience. At age 17, a permit holder may drive anytime when accompanied by a licensed driver. A permit holder may take the test for the initial probationary license at age 17.

- A new Driver Manual will be issued which will have, as its primary objectives, information designed to raise the level of safe driving knowledge among license applicants. The new manual will be improved as to "readability," and will be a summary of the New Jersey Motor Vehicle Laws as well as a practical guide for safe and efficient driving practices.

- Drivers will be required to submit to a vision test every ten years to see if corrective glasses are needed or currently used eyeglasses are adequate. A medical/vision advisory panel will devise better licensing standards in this area and assist the Division in adjudicating cases concerning drivers who suffer from identified medical or vision problems. The panel will consist of medical doctors and licensing officials who will review existing policies and procedures and make recommendations for changes or improvements, if indicated. In addition to those with vision problems, the State maintains certain standards for handicapped persons and for those with a history of serious medical problems.

- A single standard for the drinking and driving offense will be established which lowers the level of blood alcohol at which a person is presumed to be under the influence. The present level of .15% will be tightened to .10%. Under the revised law, the term "impaired" will not be used. Individuals found to have less than .05% blood alcohol content (BAC) will be presumed to be sober for driving purposes. At BAC levels of .05% up to but not including .10%, no presumptions will be raised that the driver is or is not under the influence, but other evidence going to that question will be admissible.

Licenses will not be restored until the convicted driver completes mandated education and rehabilitation. Persons not judged to be problem drinkers must participate in informational courses in a school operated under the auspices of DMV which emphasizes responsible driving techniques and attitudes. Those who are found to be problem drinkers will be required to seek help from organizations such as Alcoholics Anonymous or register as an outpatient in an alcohol rehabilitation program run by a hospital or clinic.

A "grandfather clause" in the legislation provides that drivers currently suspended under the old drunken driving law will be eligible to apply for license restoration upon satisfactory completion of the education or rehabilitation program, after completion of at least six months suspension.

The new statute calls for a license suspension of not less than 60 days and not more than 180 days for the first offense, with a fine of not less than \$200 nor more than \$400.

A subsequent conviction would result in a license suspension of not less than one year nor more than three years and a fine of not less than \$500 nor more than \$1000.

A third conviction within ten years will require a five year suspension and a fine of \$1000.

Jail terms on the first conviction could be up to 30 days and up to 90 days on a subsequent conviction. For a third offense, the term of imprisonment will be not less than 30 days nor more than 180 days.

more

Refusal to take a breath test after arrest for suspected drunken driving will result in a 90 day license suspension if no prior conviction exists and a one year suspension if there has been a prior conviction within 15 years.

- The accumulation of 12 points in moving violations will continue to constitute cause for license suspension. However, the Motor Vehicles Director or a hearing officer designated by him may permit the driver to participate in a Driver Improvement Program operated by the Division. Successful completion of driver improvement school will give the driver a reduction in points.

When a driver accumulates between six and eleven points, the Division will send an official notice warning the driver that subsequent violations may result in the loss of driving privileges.

- Under the new moving violation law, DMV will adjust all points accumulated over the past three years to a new, reduced point system. Motorists will receive a one-time 6 point reduction if no points were assessed over the last year. Drivers not eligible for the first time 6 point reduction can earn a 3 point reduction for each additional year without conviction for a moving violation. Everyone will get a 3 point reduction for each additional year of conviction-free driving; however, no point totals will be reduced below zero. This is to encourage improved violation-free driving by all motorists.

Motor Vehicles Director John A. Waddington said that the new laws will be implemented as quickly as possible.