

39:3-10 et al

LEGISLATIVE HISTORY CHECKLIST

(Driver's licenses--various changes)

NJSA 39:3-10 et al.

LAWS OF 1977

CHAPTER 25
(Part of MV package)

Bill No. S1418

Sponsor(s) Maressa & Vreeland

Date Introduced April 26, 1976

Committee: Assembly Transportation & Communications

Senate Law, Public Safety & Defense

Amended during passage Yes ~~xxx~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Dec. 6, 1976

Senate June 3, 1976

Date of approval Feb. 24, 1977

Following statements are attached if available:

Sponsor statement Yes ~~xxx~~

Committee Statement: Assembly Yes ~~xxx~~

Senate Yes ~~xxx~~

Fiscal Note ~~xxx~~ No

Veto Message ~~xxx~~ No

Message on signing Yes ~~xxx~~ S1418 not mentioned in press release

Following were printed:

Reports Yes ~~xxx~~

Hearings ~~xxx~~ No

Report mentioned in sponsor's statement:

- 974.90 NJ Motor Vehicle Study Commission.
- A939 Report. Trenton, 1975.
- 1975 "Practice Driving"-p.23-31
- "Classified Licenses"p.66-75
- "License Issuance and Control"-p.81-92

See also:

(over)

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974.90
A939
1977d

NJ Division of Motor Vehicles.
Background information on the
implementation of motor vehicle
study commission laws to go into
effect . 9-1-77.

25
2-24-77
[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 1418

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 the classification of motor vehicles and the licensing of drivers thereof, amending R. S. 39:3-10, R. S. 39:3-10.1, R. S. 39:3-13 and P. L. 1950, c. 127, 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. 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. [A separate*
14 *license shall be required to operate a motorcycle.]*

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

17 *a. Motorcycles;*

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

20 *c. Articulated vehicles ** [wherein the vehicle providing the*
21 *motive power is] ** * means a combination of a commercial motor*
22 *vehicle** registered at a gross weight in excess of *** [10,000]****

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

23 ***18,000*** pounds **[(“articulated vehicle” means a combina-
 24 tion of two or more commercial motor vehicles)]** **and one or
 24A more motor-drawn vehicles** joined together by means of a cou-
 24B pling device**[;]** **.*.*

25 *d. All motor vehicles not included in classifications a., b. and c.*
 26 *A license issued pursuant to this classification d. shall be referred*
 27 *to as the “basic driver’s license.”*

28 *Every applicant for a license under classification b. or c. must*
 29 *be a holder of a basic driver’s license. Any issuance of a license*
 30 *under classification b. or c. shall be by endorsement on the basic*
 31 *driver’s license.*

32 *A driver’s license for motorcycles may be issued separately,*
 33 *but if issued to the holder of a basic driver’s license, it shall be*
 34 *by endorsement on the basic driver’s license.*

35 The director, upon payment of the lawful fee and after he or an
 36 inspector of his has examined the applicant and is satisfied of the
 37 applicant’s ability as an operator, may, in his discretion, license
 38 the applicant to drive a motor vehicle. The license shall authorize
 39 him to drive any registered [automobile] vehicle, of the kind or
 40 kinds indicated[, or motorcycle, as the case may be], and shall
 41 expire on the last day of the [twelfth or thirty-sixth] twenty-fourth
 42 calendar month following the calendar month in which such license
 43 was issued[, the term of such license to be at the option of the
 44 driver; provided, however, that the]. *The director may, at his*
 45 *discretion and for good cause shown, issue licenses which shall*
 46 *expire on a date fixed by him[, which date shall not be sooner*
 47 *than 5 months nor later than 41 months, after the date of issuance*
 48 *of such licenses, and the]. The fee for such licenses shall be fixed*
 49 *by the director in amounts proportionately less or greater than*
 50 *the fee herein established. [The license fee for such 36-month*
 51 *period shall be \$11.00 for drivers of automobiles and \$5.00 for*
 52 *operators of motorcycles, and for the 12-month period shall be*
 53 *\$4.00 for drivers of automobiles and \$2.00 for operators of motor-*
 54 *cycles.]*

55 *The required fee for a license for the 24-month period shall be*
 56 *as follows:*

57	<i>Motorcycle license or endorsement</i>	<i>\$4.00</i>
58	<i>Omnibus or school bus endorsement</i>	<i>\$8.00</i>
59	<i>Articulated vehicle endorsement</i>	<i>\$4.00</i>
60	<i>Basic driver’s license</i>	<i>\$8.00</i>

61 The driver’s license shall have the legal name of the licensee
 62 endorsed thereon in his own handwriting. *For purposes of this*
 62A *section, legal name shall mean the name recorded on a birth cer-*

63 *tificate unless otherwise changed by marriage, divorce or order of*
 64 *court. The director may require that only the legal name be re-*
 65 *corded on the driver's license. A licensee whose name is changed*
 66 *due to marriage, divorce, or by judgment of court, shall notify the*
 67 *director of the change in name within 2 weeks after the change is*
 68 *made. A person who violates this provision shall be subject to a*
 69 *penalty of not more than \$10.00.*

70 The director shall issue licenses for the following license period
 71 on and after the first day of the calendar month immediately pre-
 72 ceding the commencement of such period, such licenses to be effec-
 73 tive immediately.

74 All applications for renewals of licenses shall be made on forms
 75 prescribed by the director, which forms shall be mailed by the
 76 director from the central office of the division to the last addresses
 77 of the licensed drivers as they appear on the records of the division.
 78 Upon the return by mail of such forms, accompanied by the requi-
 79 site fees, the director shall issue renewals of such licenses by mail
 80 from the central office of the division.

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

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

91 Nothing in this section shall be construed to alter or extend the
 92 expiration of any license issued prior to **[March 1, 1956]** *the date*
 93 *this amendatory and supplementary act becomes operative.*

1 2. R. S. 39:3-10.1 is amended to read as follows:

2 39:3-10.1. No person shall drive any motor vehicle or trackless
 3 trolley with a capacity of more than 6 passengers and used for the
 4 transportation of passengers for hire **or any bus as defined by*
 5 *the director used for the intrastate transportation of passengers**,
 6 except taxicabs, hotel buses, and omnibuses used for the transpor-
 7 tation of passengers in interstate or foreign commerce, or any bus
 8 used to transport children to and from school pursuant to sections
 9 N. J. S. 18A:39-1 et seq. *or when being used by a private school to*
 10 *transport children to and from school*, unless specially licensed so
 11 to do by the director. Such license shall not be granted until the

12 applicant therefor is at least **[21]** 18 years of age and has passed
 13 a satisfactory examination in ascertainment of his driving ability
 14 and familiarity with the mechanism of said vehicle and has pre-
 15 sented evidence, satisfactory to the director of his previous ex-
 16 perience (*including proof that he has had at least 3 years of driving*
 17 *experience*), good character and physical fitness. Said license shall
 18 be effective until suspended or revoked by the director; provided,
 19 the special licensee is also the holder of a license as provided for
 20 in section 39:3-10 of this Title. **[A fee of \$25.00 shall be collected**
 21 **by the director for the initial issuance of a special bus license. The**
 21A **annual renewal fee shall be \$4.00.]**

22 Every holder of a special license issued pursuant to this section
 23 shall furnish to the director satisfactory evidence of continuing
 24 physical fitness, good character and experience once in every **[12]**
 25 **24** months after the issuance of the special license.

25A The director may suspend or revoke a license granted under
 26 authority of this section for a violation of any of the provisions of
 27 this subtitle, or on other reasonable grounds, or where, in his
 28 opinion, the licensee is either physically or morally unfit to retain
 29 the same.

30 The director may make such rules and regulations as he may
 31 deem necessary to carry out the provisions of this section.

1 3. R. S. 39:3-13 is amended to read as follows:

2 39:3-13. The director may, in his discretion, issue to a person
 3 over 17 years of age **[a written]** *an examination* permit, under the
 4 hand and seal of the director, allowing such person, for the purpose
 5 of fitting himself to become **[an automobile driver or a motorcycle**
 6 **operator]** *a licensed driver*, to operate a **[motor vehicle or motor-**
 7 **cycle, as the case may be,]** *a designated class of motor vehicles* for
 8 a specified period of not more than **[60]** 90 days, while in the
 9 company and under the supervision of a **[licensed automobile**
 10 **driver or licensed motorcycle driver, as the case may be]** *driver*
 11 *licensed to operate such designated class of motor vehicles*. The
 12 permit shall be sufficient license for the person to operate **[an**
 13 **automobile or motorcycle]** *such designated class of motor vehicles*
 14 in this State during the period specified, while in the company of
 15 and under the control of a **[licensed automobile driver or licensed**
 16 **motorcycle driver, as the case may be, of this State]** *driver licensed*
 17 *by this State to operate such designated class of motor vehicles*.
 18 Such person, as well as the licensed driver, shall be held accountable
 19 for all violations of this subtitle committed by such person while in
 20 the presence of the licensed driver. **[No written permit shall be**

21 issued unless the person applying therefor shall pay the sum of
 22 \$5.00 to the director, or an officer, employee or agent of the division,
 23 which sum shall be remitted by the director with the other funds
 24 collected in his division to the State Treasurer, in accordance with
 25 the provisions of this subtitle.】

26 No examination for a driver's license shall be given unless the
 27 applicant has first secured a *special learner's permit or examina-*
 28 *tion permit and no road test shall be scheduled for an applicant*
 29 *who has secured an examination permit until at least 20 days shall*
 30 *have elapsed following the validation of the examination permit for*
 31 *practice driving.*

32 *Every applicant for an examination permit to qualify for an*
 33 *omnibus endorsement or an articulated vehicle endorsement must*
 34 *be a holder of a valid basic driver's license.*

35 *The required fees for special learners permits and examination*
 36 *permits shall be as follows:*

37	<i>Basic driver's license</i>	\$5.00
38	<i>Motorcycle license or endorsement</i>	5.00
39	<i>Omnibus or school bus endorsement</i>	25.00
40	<i>Articulated vehicle endorsement</i>	15.00

41 The specified period for which a permit is issued may be extended
 42 for not more than an additional 60 days, without payment of added
 43 fee upon application made by the holder thereof where the holder
 44 has applied to take the examination for a driver's license prior to
 45 the expiration of the original period for which the permit was
 46 issued and the director was unable to schedule an examination
 47 during said period.

1 4. Section 1 of P. L. 1950, c. 127 (C. 39:3-13.1) is amended to
 2 read as follows:

3 1. The Director of the Division of Motor Vehicles may issue to a
 4 person over 16 years 【and 6 months】 of age a special learner's
 5 permit, under the hand and seal of the director, allowing such
 6 person, for the purpose of fitting himself to become a motor vehicle
 7 driver, to operate a dual pedal controlled motor vehicle while
 8 enrolled in a course of behind-the-wheel automobile driving educa-
 9 tion approved by the State Department of Education and conducted
 10 in a public, parochial or private school of this State *or while taking*
 11 *a course of behind-the-wheel automobile driving instruction con-*
 12 *ducted by a drivers' school duly licensed pursuant to the provisions*
 13 *of P. L. 1951, c. 216 (C. 39:12-1 et seq.), which special learner's*
 14 *permit shall be issued in lieu of the 【learner's】 examination permit*
 15 *provided for in R. S. 39:3-13.*

16 The special learner's permit described above *when issued to a*
 17 *person enrolled in a course of driving education conducted in a*
 18 *public, parochial or private school* shall be retained in the office of
 19 the school principal at all times except during such time as the
 20 person to whom the permit is issued is undergoing behind-the-wheel
 21 automobile driving instruction.

22 *The director may make such rules and regulations as he may*
 23 *deem necessary to carry out the provisions of this section.*

1 5. Section 2 of P. L. 1950, c. 127 (C. 39:3-13.2) is amended to
 2 read as follows:

3 2. The special permit shall be sufficient license for the person
 4 to operate a dual pedal controlled motor vehicle in this State during
 5 the period specified, while in the company of and under the control
 6 of a teacher, certified by the State Department of Education as
 7 authorized to instruct in an approved behind-the-wheel automobile
 8 driving education course *or a duly licensed instructor of a drivers'*
 9 *school*, or while in the company of a representative of the Division
 10 of Motor Vehicles for the purpose of submitting to examination
 11 for a driver's license. Such person, as well as the said teacher *or*
 12 *instructor*, shall be held accountable for all violations of subtitle 1
 13 of Title 39 of the Revised Statutes and any supplements thereto
 14 committed by such person while in the presence of the teacher
 15 *or instructor.*

1 6. (New section) Any person to whom a special learner's permit
 2 has been issued pursuant to section 1 of P. L. 1950, c. 127
 3 (C. 39:3-13.1), upon attaining 16 years and 6 months of age, shall
 4 be entitled to retain the special learner's permit in his own posses-
 5 sion. Such person may operate a motor vehicle of the class for
 6 which a basic driver's license is required during the hours between
 7 sunrise and sunset while in the company and under the control of
 8 a licensed motor vehicle driver of this State who has had at least
 9 3 years' experience as a licensed motor vehicle driver. Such
 10 special permit shall be valid for 90 days after such person's
 11 seventeenth birthday or until the completion of the road test portion
 12 of his license examination, whichever period is shorter.

1 7. Section 3 of P. L. 1950, c. 127 (C. 39:3-13.3) is amended to
 2 read as follows:

3 3. No special permit shall be issued unless the person applying
 4 therefor shall present a written application for the same, bearing a
 5 certification by the principal of the school indicating that the
 6 person is enrolled in an approved behind-the-wheel driving educa-
 7 tion course in the school of which he is principal *or by the person*
 8 *operating a duly licensed drivers' school indicating that the person*

9 *has contracted to take a course of behind-the-wheel automobile*
10 *driving instruction offered by the school* and shall pay the sum of
11 **[\$1.00]** \$5.00 to an agent of the Division of Motor Vehicles, which
12 sum shall be turned over by the agent to the director, and by him
13 remitted with the other funds collected in his division to the State
14 Treasurer, in accordance with law.

1 8. Section 4 of P. L. 1950, c. 127 (C. 39:3-13.4) is amended to
2 read as follows:

3 4. The holder of a special learner's permit shall be entitled to
4 examination for a driver's license upon attaining the age of 17 years
5 and upon the satisfactory completion of an approved behind-the-
6 wheel automobile driving education course as indicated upon the
7 face of the special permit over the signature of the principal of the
8 school *or the person operating the drivers' school* in which the
9 course was conducted.

1 9. (New section) On or after the effective date of this act and
2 within 90 days after this act becomes operative, any holder of a
3 valid New Jersey driver's license who has had at least 90 days or
4 200 hours experience in driving articulated vehicles as said vehicles
5 are defined in R. S. 39:3-10, upon application and proof of such
6 experience satisfactory to the director, shall be eligible to receive
7 the articulated vehicle endorsement without examination.

1 10. This act shall take effect immediately but shall remain
2 inoperative for 180 days and until the first day of the month next
3 occurring thereafter.

3 4. The holder of a special learner's permit shall be entitled to
4 examination for a driver's license upon attaining the age of 17 years
5 and upon the satisfactory completion of an approved behind-the-
6 wheel automobile driving education course as indicated upon the
7 face of the special permit over the signature of the principal of the
8 school *or the person operating the drivers' school* in which the
9 course was conducted.

1 9. (New section) On or after the effective date of this act and
2 within 90 days after this act becomes operative, any holder of a
3 valid New Jersey driver's license who has had at least 90 days or
4 200 hours experience in driving articulated vehicles as said vehicles
5 are defined in R. S. 39:3-10, upon application and proof of such
6 experience satisfactory to the director, shall be eligible to receive
7 the articulated vehicle endorsement without examination.

1 10. This act shall take effect immediately but shall remain
2 inoperative for 180 days and until the first day of the month next
3 occurring thereafter.

S P O N S O R ' S S T A T E M E N T

This bill embodies several of the recommendations of the Motor Vehicle Study Commission contained in its September, 1975 Report.

It classifies motor vehicles under four classifications as follow:

- a. Motorcycles;
- b. Omnibuses and school buses;
- c. Articulated vehicles (combinations of two or more vehicles joined together);
- d. Motor vehicles not included in a., b. or c.

Special learner or examination permits and drivers licenses or endorsements are required for each classification, and the licenses or endorsements will be valid for a period of 2 years.

The recommendation covered by this bill will be found on pages 26-27 (permits), 73 (licenses and endorsements), 85 (2-year licenses).

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 1418

STATE OF NEW JERSEY

DATED: MAY 24, 1976

This bill would revise the law regarding the licensing of drivers by requiring vision tests, knowledge of traffic control devices and safe driving practices in addition to the existing requirements. The standards for the vision test would be developed by a medical vision panel created pursuant to Senate Bill No. 1419, a companion measure. The bill establishes four classifications of driver's licenses with learners' or examination permits for each classification. It requires the adoption of one basic license form with endorsements for each of the four classifications which are: (1) basic drivers license; (2) motorcycle license or endorsement; (3) omnibus or school bus endorsement; and (4) articulated vehicle endorsement. Motorcycle licenses may be issued alone. All licenses are valid for a period of two years.

The bill also contains a provision to require drivers of buses transporting pupils to and from private schools to have an omnibus or school bus endorsement. This reflects existing law as per L. 1975, ch. 284 which would take effect January 1, 1977. As amended in committee, the bill would also require all drivers of buses, as defined by the director whether they are for hire or not, to obtain an omnibus or school bus endorsement, provided that they are not specifically excepted under existing law. The intent is to require all drivers of senior citizen buses or drivers of other forms of free bus transportation to obtain the special endorsement on their license. As per the age of majority law, the age for applicants to obtain a school bus or omnibus endorsement is dropped from 21 to 18 years provided they have 3 years of driving experience. Present Division of Motor Vehicles regulations require 3 years. Satisfactory proof of good physical fitness, character and experience must be demonstrated every 24 rather than every 12 months as under present law for all holders of a school bus or omnibus endorsement.

The fees are:

Basic driver's license	\$8.00
Motorcycle license or endorsement	4.00
Omnibus or school bus endorsement	8.00
Articulated vehicle endorsement	4.00

There is also a requirement that the legal name of each driver appear on the license. "Legal name" is defined in the bill and a fine of not more than \$10.00 for failure to notify the director of a name change within 2 weeks is prescribed.

Special learner or examination permits are established under the bill for each classification of license. Licensed driving schools are permitted to teach beginners with dual pedal control vehicles as now allowed through driver education courses in the schools. Persons may obtain a special permit at 16 (presently 16½) years of age if they are enrolled in a driver education course or have contracted with a licensed instructor. At 16½ the special permit holder may retain possession of the permit and drive during daylight hours only while under the supervision of a driver with at least 3 years licensed driving experience.

The fee for the special permit is \$5.00 which is up from \$1.00 under present law. A licensed instructor may attest the completion of the course of instruction allowing the permittee to obtain the license upon becoming 17 years of age. Persons age 17 and above may obtain an examination permit which is authority to drive at any time while under the supervision of a licensed driver. After the permit is validated for practice driving, the permit holder may be scheduled for a road test.

As is reflected in the statement accompanying this bill, the various provisions contained herein were based upon the recommendations of the Motor Vehicle Study Commission in their September, 1975 *Report*.

The intent of this bill is to improve the general license qualifications so as to reflect the varying needs of license applicants.

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1418

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1976

This bill would revise the law regarding the licensing of drivers by requiring vision tests, knowledge of traffic control devices and safe driving practices in addition to the existing requirements. The standards for the vision test would be developed by a medical vision panel created pursuant to Senate Bill No. 1419, a companion measure. The bill establishes four classifications of driver's licenses with learners' or examination permits for each classification. It requires the adoption of one basic license form with endorsements for each of the four classifications which are: (1) basic drivers license; (2) motorcycle license or endorsement; (3) omnibus or school bus endorsement; and (4) articulated vehicle endorsement. Motorcycle licenses may be issued alone. All licenses are valid for a period of 2 years.

The bill also contains a provision to require drivers of buses transporting pupils to and from private schools to have an omnibus or school bus endorsement. This reflects existing law as per P. L. 1975, c. 284 which would take effect January 1, 1977.

The bill would also require all drivers of buses, as defined by the director whether they are for hire or not, to obtain an omnibus or school bus endorsement, provided that they are not specifically excepted under existing law. The intent is to require all drivers of senior citizen buses or drivers of other forms of free bus transportation to obtain the special endorsement on their license. As per the age of majority law, the age for applicants to obtain a school bus or omnibus endorsement is dropped from 21 to 18 years provided they have 3 years of driving experience. Present Division of Motor Vehicles regulations require 3 years. Satisfactory proof of good physical fitness, character and experience must be demonstrated every 24 rather than every 12 months as under present law for all holders.

The fees are:

Basic driver's license	\$8.00
Motorcycle license or endorsement	4.00
Omnibus or school bus endorsement	8.00
Articulated vehicle endorsement	4.00

There is also a requirement that the legal name of each driver appear on the license. "Legal name" is defined in the bill and a fine of not more than \$10.00 for failure to notify the director of a name change within 2 weeks is prescribed.

Special learner or examination permits are established under the bill for each classification of license. Licensed driving schools are permitted to teach beginners with dual pedal control vehicles as now allowed through driver education courses in the schools. Persons may obtain a special permit at 16 (presently 16½) years of age if they are enrolled in a driver education course or have contracted with a licensed instructor. At 16½ the special permit holder may retain possession of the permit and drive during daylight hours only while under the supervision of a driver with at least 3 years licensed driving experience.

The fee for the special permit is \$5.00 which is up from \$1.00 under present law. A licensed instructor may attest the completion of the course of instruction allowing the permittee to obtain the license upon becoming 17 years of age. Persons age 17 and above may obtain an examination permit which is authority to drive at any time while under the supervision of a licensed driver. After the permit is validated for practice driving, the permit holder may be scheduled for a road test.

The committee amended the definition of articulated vehicles so as to conform to the definitions found in R. S. 39:1-1.

As is reflected in the statement accompanying this bill, the various provisions contained herein were based upon the recommendations of the Motor Vehicle Study Commission in their September, 1975, Report.

The intent of this bill is to improve the general license qualifications so as to reflect the varying needs of license applicants.