

39:2-13 to 39:2-15

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:2-13 to 39:2-15

Laws of 1977 Chapter 26 (Medical-Vision Advisory Panel.)

Bill No. S1419 (Part of MV Package)

Sponsor(s) Maressa and Vreeland

Date Introduced April 26, 1976

Committee: Assembly Transportation and Communications

Senate Law, Public Safety and Defense

Amended during passage ~~Yes~~ No

Date of passage: Assembly Dec. 6, 1976

Senate June 3, 1976

Date of approval February 24, 1977

Following statements are attached if available:

Sponsor statement Yes ~~xxx~~

Committee Statement: Assembly Yes ~~xxx~~

Senate ~~Yes~~ No

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes ~~xxx~~

Following were printed:

Reports Yes No

Hearings Yes No

Report Mentioned in Sponsor's Statement:

974,90 N.J. Motor Vehicle Study Commission

A939 Report. Trenton, 1975

1975 "Vision and Medical Standards"- p.37-48

10/4/76

SENATE, No. 1419

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1976

By Senators MARESSA and VREELAND

Referred to Committee on Law, Public Safety and Defense

AN ACT creating the Medical-Vision Advisory Panel in the Division of Motor Vehicles and prescribing its functions, powers and duties.

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

1 1. There is hereby created in the Division of Motor Vehicles a
2 special study and advisory panel to be known as the Medical-
3 Vision Advisory Panel consisting of physicians licensed to practice
4 medicine and surgery (including physicians specialty-board certified
5 in internal medicine, psychiatry, neurology, physical medicine, and
6 ophthalmology), licensed optometrists, and officials of the division
7 supervising motor vehicle driver licensing.

1 2. The members of the panel shall be appointed by the Governor
2 upon recommendations by the director and shall be in such number
3 as the Governor and director shall deem appropriate. In recom-
4 mending the physician and optometrist members, the director shall
5 seek the advice and recommendations of the Medical Society of
6 New Jersey with respect to the physician members, and the New
7 Jersey Optometric Association with respect to the optometrist
8 member or members. The panel and the members thereof shall
9 serve at the pleasure of the Governor. They shall receive no com-
10 pensation for their services but shall be reimbursed for the reason-
11 able expenses actually incurred in the performance of their duties
12 as approved by the director.

1 3. The Medical-Vision Advisory Panel shall study and review
2 all medical criteria and vision standards applicable to the licensing
3 of motor vehicle drivers by the division and recommend such
4 additions and revisions thereof as it shall deem necessary and ap-
5 propriate. Any such recommended additions and revisions may
6 be adopted by the division on a trial basis to determine the necessity
7 and validity thereof.

8 The director may from time to time require panel members to
9 give testimony at administrative hearings concerning applicants
10 and licensees who may suffer from medical, vision, psychiatric,
11 psychological or characterological disorders relating to a person's
12 ability to safely operate a motor vehicle.

1 4. This act shall take effect immediately.

STATEMENT

This bill creates a Medical-Vision Advisory Panel in the Division of Motor Vehicles pursuant to the recommendation of the Motor Vehicle Study Commission appearing on pages 44 and 45 of its September, 1975 Report.

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO
SENATE, No. 1419

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1976

This bill creates a Medical-Vision Advisory Panel in the Division of Motor Vehicles pursuant to the recommendation of the Motor Vehicles Study Commission appearing on pages 44 and 45 of its September, 1975, Report.

The bill provides that the Medical-Vision Advisory Panel shall study and review all medical criteria and vision standards applicable to the licensing of motor vehicle drivers by the division and recommend such additions and revisions thereof as it shall deem necessary and appropriate. Any such recommended additions and revisions may be adopted by the division on a trial basis to determine the necessity and validity thereof.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 24, 1977

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 lowers the level of blood alcohol at which a person is presumed to be under influence. The present level of .15% will be tightened to .10%. Under the 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. At BAC levels of .05% up to but not including .10%, no presumptions will be made that the driver is or is not under the influence, but other evidence going to the 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 technique 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 a 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 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 privilege.

- 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 laws will be implemented as quickly as possible.