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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RH/CL

P.L. 2017, CHAPTER 382, *approved January 16, 2018*
Assembly, No. 4573 (*Third Reprint*)

1 AN ACT concerning emergency contact information and
2 ²**【supplementing Title 39 of the Revised Statutes】** amending
3 P.L.2011, c.47².
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 ²**【1. This act shall be known and may be cited as the “National**
9 **Motor Vehicle Emergency Contact Registry Act.”】**²
10

11 **【**²**2. a. Motor vehicle manufacturers that are engaged in the**
12 **business of distributing motor vehicles in this State, in conjunction**
13 **with law enforcement agencies and the National Law Enforcement**
14 **Telecommunications System, shall establish a National Motor**
15 **Vehicle Emergency Contact Registry on or before January 1, 2018**
16 **which shall be capable of storing emergency contact information to**
17 **be accessible by law enforcement officers for the purposes**
18 **established in section 3 of P.L. , c. (C.) (pending before the**
19 **Legislature as this bill). The registry shall be linked to the “Next-**
20 **of-Kin Registry” established pursuant to P.L.2011, c.47 (C.39:4-**
21 **134.2 et ¹**【seq】** al¹).**

22 **b. Every new motor vehicle dealer licensed pursuant to**
23 **R.S.39:10-19 and every leasing dealer, as defined in section 2 of**
24 **P.L.1994, c.190 (C.56:12-61), shall allow a purchaser or lessee of a**
25 **new motor vehicle to voluntarily register at the point of sale an**
26 **emergency contact to be stored in the registry.**

27 **c. Information in the registry shall be available for the**
28 **exclusive use of law enforcement officers. Any emergency contact**
29 **information contained in the registry shall not be considered a**
30 **¹**【public】 government¹** record pursuant to P.L.1963, c.73 (C.47:1A-**
31 **1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the common law**
32 **concerning access to ¹**【public】 government¹** records and shall not**
33 **be discoverable as a ¹**【public】 government¹** record by any person,**
34 **entity, or governmental agency, except upon a subpoena issued by a**
35 **grand jury or a court order in a criminal matter.**

36 **d. The Attorney General shall promulgate guidelines to**
37 **effectuate the purposes of P.L. , c. (C.) (pending before the**
38 **Legislature as this bill).**

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Assembly ATR committee amendments adopted March 6, 2017.**

²**Senate SBA committee amendments adopted December 4, 2017.**

³**Senate floor amendments adopted December 18, 2017.**

1 e. For the purposes of P.L. , c. (C.) (pending before
2 the Legislature as this bill):

3 “Emergency contact” means a person, 18 years of age or older,
4 whom the purchaser or lessee of a new motor vehicle has
5 designated to be contacted by law enforcement personnel when the
6 purchaser or lessee is rendered unable to communicate due to a
7 motor vehicle crash resulting in serious bodily injury, death, or
8 incapacitation of the purchaser or lessee. An emergency contact
9 may or may not be the next-of-kin of the purchaser or lessee.

10 “Registry” means the National Motor Vehicle Emergency
11 Contact Registry established pursuant to subsection a. of this
12 section.】²

13

14 ²【3. a. When a motor vehicle crash results in serious bodily
15 injury, death, or incapacitation of a driver, rendering the driver
16 unable to communicate, the law enforcement officer investigating
17 the motor vehicle crash shall attempt to locate an emergency
18 contact by accessing the registry established pursuant to section 2 of
19 P.L. , c. (C.) (pending before the Legislature as this bill).
20 The law enforcement officer shall, when practicable, expeditiously
21 notify the emergency contact of the driver involved in the motor
22 vehicle crash and inform the emergency contact of the hospital or
23 other location at which the driver may be receiving medical
24 treatment.

25 b. A law enforcement officer or law enforcement employee
26 shall not be liable to any person for civil damages, or subject to
27 criminal prosecution resulting from or caused by: (1) any disruption
28 or failure in Internet service caused by any accident, malfunction,
29 act of sabotage or God, or any other condition or circumstance that
30 the law enforcement agency, directly or indirectly, caused and
31 which results in, or prevents the law enforcement officers from,
32 accessing the registry; (2) inaccurate or out-dated information
33 contained in the registry; or (3) the inability of any law enforcement
34 officer to make contact, in good faith, with any designated
35 emergency contact person. This limitation of liability is
36 inapplicable if the failure resulted from a malicious purpose or a
37 wanton and willful disregard for the safety of persons or property.】²

38

39 ²【4. a. Every new motor vehicle dealer and leasing dealer shall
40 make a good faith effort to register accurate information in the
41 registry as provided by the purchaser or lessee at the point of sale.

42 b. A motor vehicle manufacturer, a new motor vehicle dealer,
43 or a leasing dealer shall not be liable for any civil damages or
44 subject to criminal prosecution resulting from inaccurate or out-
45 dated information contained in the registry or any disruption or
46 failure of the system. This limitation of liability is inapplicable if

1 the failure resulted from a malicious purpose or a wanton and
2 willful disregard for the safety of persons or property.]²

3
4 ²1. Section 1 of P.L.2011, c.47 (C.39:4-134.2) is amended to
5 read as follows:

6 1. a. The Chief Administrator of the New Jersey Motor Vehicle
7 Commission shall develop an emergency contact information
8 registry program. Under the program, the chief administrator shall
9 establish and maintain an automated Statewide registry to be known
10 as the "Next-of-Kin Registry," which shall be capable of storing
11 emergency contact information to be accessible by law enforcement
12 officials for the purposes established in section 2 of P.L.2011, c.47
13 (C.39:4-134.3). Under the program, the holder of any New Jersey
14 State validated permit [,] or probationary or basic driver's license [,
15 or] may voluntarily submit the name and telephone number of two
16 emergency contacts and the vehicle identification number of any
17 vehicle owned, leased, or authorized to be used by the permit holder
18 or licensee to the "Next-of-Kin Registry" either through the
19 commission's website or by mail and the holder of any New Jersey
20 non-driver identification card may voluntarily submit the name and
21 telephone number of two emergency contacts to the "Next-of-Kin
22 Registry" either through the commission's website or by mail.

23 b. In implementing this program, the chief administrator shall
24 establish a process whereby the holder of any validated permit,
25 probationary or basic driver's license, or non-driver identification
26 card may:

27 (1) electronically sign onto the commission's web site using: (a)
28 the holder's validated permit [,] or probationary or basic driver's
29 license number [,] to submit the name and telephone number of up
30 to two emergency contacts and the vehicle identification number of
31 any vehicle owned, leased, or authorized to be used by the permit
32 holder or licensee to be stored in the "Next-of-Kin Registry;" or (b)
33 the holder's non-driver identification card number [and] to submit
34 the name and telephone number of up to two emergency contacts to
35 be stored in the "Next-of-Kin Registry"; or

36 (2) (a) for the holder of any validated permit or probationary or
37 basic driver's license, submit the name and telephone number of up
38 to two emergency contacts and the vehicle identification number of
39 any vehicle owned, leased, or authorized to be used by the permit
40 holder or licensee to be stored in the "Next-of-Kin Registry" by
41 mail using paper applications provided by the commission in the
42 commission's customer service facilities or through commission
43 mailings; or (b) for the holder of any non-driver identification card,
44 submit the name and telephone number of up to two emergency
45 contacts to be stored in the "Next-of-Kin Registry" by mail using
46 paper applications provided by the commission in the commission's
47 customer service facilities or through commission mailings.

1 A permit holder, licensee, or non-driver identification card
2 holder who submits the name and telephone number of an
3 emergency contact or vehicle identification number shall have the
4 opportunity to revise or update the emergency contact and vehicle
5 identification number information at any time.

6 c. Information in the "Next-of-Kin Registry" shall be available
7 for the exclusive use of law enforcement officials, and employees of
8 the commission who are designated by the chief administrator, for
9 the purposes of discharging their duties pursuant to P.L.2011, c.47
10 (C.39:4-134.2 et al.). Any emergency contact or vehicle
11 identification number information submitted to the commission
12 shall not be considered a **【public】** government record pursuant to
13 P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et
14 al.), or the common law concerning access to public records and
15 shall not be discoverable as a **【public】** government record by any
16 person, entity, or governmental agency, except upon a subpoena
17 issued by a grand jury or a court order in a criminal matter.

18 d. The chief administrator and employees of the commission
19 who are designated by the chief administrator, for the purposes of
20 discharging their duties pursuant to P.L.2011, c.47 (C.39:4-134.2 et
21 al.), shall not be liable to any person for civil damages, or subject to
22 criminal prosecution resulting from or caused by: (1) any disruption
23 or failure in Internet service caused by any accident, malfunction,
24 act of sabotage or God, or any other condition or circumstance that
25 the commission has not, directly or indirectly, caused and which
26 results in, or prevents, the holder of any New Jersey State validated
27 permit, probationary or basic driver's license, or non-driver
28 identification card from accessing, or inputting information into, the
29 "Next-of-Kin Registry" or which results in, or prevents, the chief
30 administrator and designated commission employees and law
31 enforcement officers from accessing, establishing, or maintaining
32 the "Next-of-Kin Registry"; (2) any misuse of, or the failure or
33 omission to input accurate information, or the inputting of
34 inaccurate or outdated information into the "Next-of-Kin Registry"
35 by any holder of any New Jersey State validated permit,
36 probationary or basic driver's license, or non-driver identification
37 card; or (3) the inability of any law enforcement officer to make
38 contact, in good faith, with any designated emergency contact
39 person. This limitation of liability is inapplicable if such failure
40 resulted from a malicious purpose or a wanton and willful disregard
41 for the safety of persons or property.

42 e. For the purposes of P.L.2011, c.47 (C.39:4-134.2 et al.),
43 "emergency contact person" or "emergency contact" means a
44 person, eighteen years of age or older, whom the holder of any New
45 Jersey State validated permit, probationary or basic driver's license,
46 or non-driver identification card has designated to be contacted by
47 law enforcement personnel when the permit holder, licensee, or
48 non-driver identification card holder is rendered unable to

1 communicate due to a motor vehicle accident resulting in the
2 serious bodily injury, death, or incapacitation of the permit holder,
3 licensee, or non-driver identification card holder. An "emergency
4 contact person" or "emergency contact" may or may not be the
5 next-of-kin of the permit holder, licensee, or non-driver
6 identification card holder; except that if the permit holder, licensee,
7 or card holder is under the age of eighteen and is not emancipated,
8 the emergency contact person shall be the parent or guardian of that
9 permit holder, licensee, or card holder.²
10 (cf: P.L.2015, c.301, s.1)

11
12 ²[5.] 2.² This act shall take effect immediately ²[and shall
13 apply to motor vehicles that are a 2020 model year or later and that
14 are sold or leased on or after January 1, 2019] but shall remain
15 inoperative until the first day of the ³[seventh] thirteenth³ month
16 following enactment, but the chief administrator may take any such
17 anticipatory ³administrative³ action as may be necessary for the
18 timely implementation of this act².

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23 Requires MVC to allow submission of vehicle identification
24 number to "Next-of-Kin Registry."

ASSEMBLY, No. 4573

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 13, 2017

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

SYNOPSIS

Requires establishment of national motor vehicle emergency contact registry.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/28/2017)

1 AN ACT concerning emergency contact information and
2 supplementing Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “National
8 Motor Vehicle Emergency Contact Registry Act.”

9

10 2. a. Motor vehicle manufacturers that are engaged in the
11 business of distributing motor vehicles in this State, in conjunction
12 with law enforcement agencies and the National Law Enforcement
13 Telecommunications System, shall establish a National Motor
14 Vehicle Emergency Contact Registry on or before January 1, 2018
15 which shall be capable of storing emergency contact information to
16 be accessible by law enforcement officers for the purposes
17 established in section 3 of P.L. , c. (C.) (pending before the
18 Legislature as this bill). The registry shall be linked to the “Next-
19 of-Kin Registry” established pursuant to P.L.2011, c.47 (C.39:4-
20 134.2 et seq.).

21 b. Every new motor vehicle dealer licensed pursuant to
22 R.S.39:10-19 and every leasing dealer, as defined in section 2 of
23 P.L.1994, c.190 (C.56:12-61), shall allow a purchaser or lessee of a
24 new motor vehicle to voluntarily register at the point of sale an
25 emergency contact to be stored in the registry.

26 c. Information in the registry shall be available for the
27 exclusive use of law enforcement officers. Any emergency contact
28 information contained in the registry shall not be considered a
29 public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
30 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
31 access to public records and shall not be discoverable as a public
32 record by any person, entity, or governmental agency, except upon
33 a subpoena issued by a grand jury or a court order in a criminal
34 matter.

35 d. The Attorney General shall promulgate guidelines to
36 effectuate the purposes of P.L. , c. (C.) (pending before the
37 Legislature as this bill).

38 e. For the purposes of P.L. , c. (C.) (pending before
39 the Legislature as this bill):

40 “Emergency contact” means a person, 18 years of age or older,
41 whom the purchaser or lessee of a new motor vehicle has
42 designated to be contacted by law enforcement personnel when the
43 purchaser or lessee is rendered unable to communicate due to a
44 motor vehicle crash resulting in serious bodily injury, death, or
45 incapacitation of the purchaser or lessee. An emergency contact
46 may or may not be the next-of-kin of the purchaser or lessee.

1 “Registry” means the National Motor Vehicle Emergency
2 Contact Registry established pursuant to subsection a. of this
3 section.

4
5 3. a. When a motor vehicle crash results in serious bodily
6 injury, death, or incapacitation of a driver, rendering the driver
7 unable to communicate, the law enforcement officer investigating
8 the motor vehicle crash shall attempt to locate an emergency
9 contact by accessing the registry established pursuant to section 2 of
10 P.L. , c. (C.) (pending before the Legislature as this bill).
11 The law enforcement officer shall, when practicable, expeditiously
12 notify the emergency contact of the driver involved in the motor
13 vehicle crash and inform the emergency contact of the hospital or
14 other location at which the driver may be receiving medical
15 treatment.

16 b. A law enforcement officer or law enforcement employee
17 shall not be liable to any person for civil damages, or subject to
18 criminal prosecution resulting from or caused by: (1) any disruption
19 or failure in Internet service caused by any accident, malfunction,
20 act of sabotage or God, or any other condition or circumstance that
21 the law enforcement agency, directly or indirectly, caused and
22 which results in, or prevents the law enforcement officers from,
23 accessing the registry; (2) inaccurate or out-dated information
24 contained in the registry; or (3) the inability of any law enforcement
25 officer to make contact, in good faith, with any designated
26 emergency contact person. This limitation of liability is
27 inapplicable if the failure resulted from a malicious purpose or a
28 wanton and willful disregard for the safety of persons or property.

29
30 4. a. Every new motor vehicle dealer and leasing dealer shall
31 make a good faith effort to register accurate information in the
32 registry as provided by the purchaser or lessee at the point of sale.

33 b. A motor vehicle manufacturer, a new motor vehicle dealer,
34 or a leasing dealer shall not be liable for any civil damages or
35 subject to criminal prosecution resulting from inaccurate or out-
36 dated information contained in the registry or any disruption or
37 failure of the system. This limitation of liability is inapplicable if
38 the failure resulted from a malicious purpose or a wanton and
39 willful disregard for the safety of persons or property.

40
41 5. This act shall take effect immediately and shall apply to
42 motor vehicles that are a 2020 model year or later and that are sold
43 or leased on or after January 1, 2019.

STATEMENT

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This bill requires motor vehicle manufacturers that are engaged in the business of distributing vehicles in this State, in conjunction with law enforcement agencies and the National Law Enforcement Telecommunications System, to establish the “National Motor Vehicle Emergency Contact Registry” (NMVECR). The registry is to be capable of storing emergency contact information to be accessible by law enforcement officers.

Under the bill, every new motor vehicle dealer and leasing dealer is required to allow a purchaser or lessee of a new motor vehicle to voluntarily register at the point of sale an emergency contact to be stored in the NMVECR. The information is to be available for the exclusive use of law enforcement and is not to be considered a public record.

The bill provides that when a motor vehicle crash results in serious bodily injury, death, or incapacitation of a driver, rendering the driver unable to communicate, the law enforcement officer investigating the motor vehicle crash is required to attempt to locate an emergency contact by accessing the registry. The officer is also required, when practicable, to notify the emergency contact of the driver involved in the crash and inform the emergency contact of the hospital or other location at which the driver may be receiving medical treatment.

A law enforcement officer is immune from civil and criminal liability resulting from: 1) any disruption or failure in Internet service which results in or prevents the officer from accessing the registry; 2) inaccurate or out-dated information contained in the registry; or 3) the inability of the officer to make contact, in good faith, with any designated emergency contact person.

The bill also provides that a motor vehicle manufacturer, a new motor vehicle dealer, or a leasing dealer is immune from civil or criminal liability resulting from inaccurate or out-dated information contained in the registry or any disruption or failure of the system.

The provisions of this bill apply to motor vehicles that are a 2020 model year or later and that are sold or leased on or after January 1, 2019.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4573

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 6, 2017

The Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 4573.

As amended and reported, this bill requires motor vehicle manufacturers that are engaged in the business of distributing vehicles in this State, in conjunction with law enforcement agencies and the National Law Enforcement Telecommunications System, to establish the “National Motor Vehicle Emergency Contact Registry” (“registry”). The registry is to be capable of storing emergency contact information to be accessible by law enforcement officers. The registry is to be linked with the State’s “Next-of-Kin Registry.”

Under the bill, every new motor vehicle dealer and leasing dealer is required to allow a purchaser or lessee of a new motor vehicle to voluntarily register at the point of sale an emergency contact to be stored in the registry. The information is to be available for the exclusive use of law enforcement and is not to be considered a government record for purposes of the State’s open public record laws.

The bill provides that when a motor vehicle crash results in serious bodily injury, death, or incapacitation of a driver, rendering the driver unable to communicate, the law enforcement officer investigating the motor vehicle crash is required to attempt to locate an emergency contact by accessing the registry. The officer is also required, when practicable, to notify the emergency contact of the driver involved in the crash and inform the emergency contact of the hospital or other location at which the driver may be receiving medical treatment.

A law enforcement officer is immune from civil and criminal liability resulting from: 1) any disruption or failure in Internet service which results in or prevents the officer from accessing the registry; 2) inaccurate or out-dated information contained in the registry; or 3) the inability of the officer to make contact, in good faith, with any designated emergency contact person.

The bill also provides that a motor vehicle manufacturer, a new motor vehicle dealer, or a leasing dealer is immune from civil or criminal liability resulting from inaccurate or out-dated information contained in the registry or any disruption or failure of the system.

The provisions of this bill apply to motor vehicles that are a 2020 model year or later and that are sold or leased on or after January 1, 2019.

COMMITTEE AMENDMENTS

The committee amended the synopsis of the bill to read: “Requires motor vehicle manufacturers doing business in New Jersey to establish motor vehicle emergency contract registry.” The committee also amended the bill to change the term “public record” to “government record” throughout the bill and to correct a statutory citation.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4573

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2017

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4573 (1R), with committee amendments.

As amended, this bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) to allow a holder of any New Jersey State validated permit or probationary or basic driver's license to include, with the submission of the name and telephone number of two emergency contacts, the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee to the "Next-of-Kin Registry" (registry) either through the MVC website or by mail.

The bill requires that a permit holder or licensee is to have the opportunity to update the vehicle identification number information provided to the registry at any time.

As amended and reported, this bill is identical to the Senate Committee Substitute for Senate Bill No. 2966, as reported by the committee.

COMMITTEE AMENDMENTS:

The amendments eliminate provisions of the bill that required certain motor vehicle manufacturers to establish a National Motor Vehicle Emergency Contact Registry, and required every new motor vehicle dealer and leasing dealer to allow a purchaser or lessee of a new motor vehicle to voluntarily register an emergency contact to be stored in the National Motor Vehicle Emergency Contact Registry.

The amendments instead require the MVC to allow a holder of any permit or driver's license to include, with the submission of two emergency contacts, the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee to the State's "Next-of-Kin Registry" either through the MVC's website or by mail.

FISCAL IMPACT:

The Office of Legislative Service does not have sufficient information about the nature of the programming changes required to

be made to the MVC website for the “Next-Of-Kin Registry” to determine the fiscal impact of the bill. When similar changes have been made to commission-wide MVC software in the past, the MVC has indicated that it typically faces approximately \$50,000 in costs from the information technology contractors to make programming changes to the existing software. Depending upon the complexity of these changes, the MVC may face a similar or greater cost to implement these changes to the website component of the “Next-Of-Kin Registry.”

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 4573

with Senate Floor Amendments
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 18, 2017

These Senate Amendments delay the implementation of the bill from first day of the seventh month after enactment to the first day of the 13th month after enactment and clarify that the Chief Administrator of the New Jersey Motor Vehicle Commission may take anticipatory administrative action as may be necessary for the timely implementation of the bill.

SENATE, No. 2966

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED JANUARY 30, 2017

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

SYNOPSIS

Requires establishment of national motor vehicle emergency contact registry.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning emergency contact information and
2 supplementing Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. This act shall be known and may be cited as the “National
8 Motor Vehicle Emergency Contact Registry Act.”

9

10 2. a. Motor vehicle manufacturers that are engaged in the
11 business of distributing motor vehicles in this State, in conjunction
12 with law enforcement agencies and the National Law Enforcement
13 Telecommunications System, shall establish a National Motor
14 Vehicle Emergency Contact Registry on or before January 1, 2018
15 which shall be capable of storing emergency contact information to
16 be accessible by law enforcement officers for the purposes
17 established in section 3 of P.L. , c. (C.) (pending before the
18 Legislature as this bill). The registry shall be linked to the “Next-
19 of-Kin Registry” established pursuant to P.L.2011, c.47 (C.39:4-
20 134.2 et seq.).

21 b. Every new motor vehicle dealer licensed pursuant to
22 R.S.39:10-19 and every leasing dealer, as defined in section 2 of
23 P.L.1994, c.190 (C.56:12-61), shall allow a purchaser or lessee of a
24 new motor vehicle to voluntarily register at the point of sale an
25 emergency contact to be stored in the registry.

26 c. Information in the registry shall be available for the
27 exclusive use of law enforcement officers. Any emergency contact
28 information contained in the registry shall not be considered a
29 public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
30 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
31 access to public records and shall not be discoverable as a public
32 record by any person, entity, or governmental agency, except upon
33 a subpoena issued by a grand jury or a court order in a criminal
34 matter.

35 d. The Attorney General shall promulgate guidelines to
36 effectuate the purposes of P.L. , c. (C.) (pending before the
37 Legislature as this bill).

38 e. For the purposes of P.L. , c. (C.) (pending before
39 the Legislature as this bill):

40 “Emergency contact” means a person, 18 years of age or older,
41 whom the purchaser or lessee of a new motor vehicle has
42 designated to be contacted by law enforcement personnel when the
43 purchaser or lessee is rendered unable to communicate due to a
44 motor vehicle crash resulting in serious bodily injury, death, or

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

Matter underlined thus is new matter.

1 incapacitation of the purchaser or lessee. An emergency contact
2 may or may not be the next-of-kin of the purchaser or lessee.

3 “Registry” means the National Motor Vehicle Emergency
4 Contact Registry established pursuant to subsection a. of this
5 section.

6
7 3. a. When a motor vehicle crash results in serious bodily
8 injury, death, or incapacitation of a driver, rendering the driver
9 unable to communicate, the law enforcement officer investigating
10 the motor vehicle crash shall attempt to locate an emergency
11 contact by accessing the registry established pursuant to section 2 of
12 P.L. , c. (C.) (pending before the Legislature as this bill).
13 The law enforcement officer shall, when practicable, expeditiously
14 notify the emergency contact of the driver involved in the motor
15 vehicle crash and inform the emergency contact of the hospital or
16 other location at which the driver may be receiving medical
17 treatment.

18 b. A law enforcement officer or law enforcement employee
19 shall not be liable to any person for civil damages, or subject to
20 criminal prosecution resulting from or caused by: (1) any disruption
21 or failure in Internet service caused by any accident, malfunction,
22 act of sabotage or God, or any other condition or circumstance that
23 the law enforcement agency, directly or indirectly, caused and
24 which results in, or prevents the law enforcement officers from,
25 accessing the registry; (2) inaccurate or out-dated information
26 contained in the registry; or (3) the inability of any law enforcement
27 officer to make contact, in good faith, with any designated
28 emergency contact person. This limitation of liability is
29 inapplicable if the failure resulted from a malicious purpose or a
30 wanton and willful disregard for the safety of persons or property.

31
32 4. a. Every new motor vehicle dealer and leasing dealer shall
33 make a good faith effort to register accurate information in the
34 registry as provided by the purchaser or lessee at the point of sale.

35 b. A motor vehicle manufacturer, a new motor vehicle dealer,
36 or a leasing dealer shall not be liable for any civil damages or
37 subject to criminal prosecution resulting from inaccurate or out-
38 dated information contained in the registry or any disruption or
39 failure of the system. This limitation of liability is inapplicable if
40 the failure resulted from a malicious purpose or a wanton and
41 willful disregard for the safety of persons or property.

42
43 5. This act shall take effect immediately and shall apply to
44 motor vehicles that are a 2020 model year or later and that are sold
45 or leased on or after January 1, 2019.

STATEMENT

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This bill requires motor vehicle manufacturers that are engaged in the business of distributing vehicles in this State, in conjunction with law enforcement agencies and the National Law Enforcement Telecommunications System, to establish the “National Motor Vehicle Emergency Contact Registry” (NMVECR). The registry is to be capable of storing emergency contact information to be accessible by law enforcement officers.

Under the bill, every new motor vehicle dealer and leasing dealer is required to allow a purchaser or lessee of a new motor vehicle to voluntarily register at the point of sale an emergency contact to be stored in the NMVECR. The information is to be available for the exclusive use of law enforcement and is not to be considered a public record.

The bill provides that when a motor vehicle crash results in serious bodily injury, death, or incapacitation of a driver, rendering the driver unable to communicate, the law enforcement officer investigating the motor vehicle crash is required to attempt to locate an emergency contact by accessing the registry. The officer is also required, when practicable, to notify the emergency contact of the driver involved in the crash and inform the emergency contact of the hospital or other location at which the driver may be receiving medical treatment.

A law enforcement officer is immune from civil and criminal liability resulting from: 1) any disruption or failure in Internet service which results in or prevents the officer from accessing the registry; 2) inaccurate or out-dated information contained in the registry; or 3) the inability of the officer to make contact, in good faith, with any designated emergency contact person.

The bill also provides that a motor vehicle manufacturer, a new motor vehicle dealer, or a leasing dealer is immune from civil or criminal liability resulting from inaccurate or out-dated information contained in the registry or any disruption or failure of the system.

The provisions of this bill apply to motor vehicles that are a 2020 model year or later and that are sold or leased on or after January 1, 2019.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2966**

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2017

The Senate Budget and Appropriations Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2966.

This substitute bill requires the Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) to allow a holder of any New Jersey State validated permit or probationary or basic driver's license to include, with the submission of the name and telephone number of two emergency contacts, the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee to the "Next-of-Kin Registry" (registry) either through the MVC's website or by mail.

The substitute requires that a permit holder or licensee is to have the opportunity to update the vehicle identification number information in the registry at any time.

As reported, this substitute is identical to Assembly Bill No. 4573 (1R), as amended and reported by the committee.

FISCAL IMPACT:

The Office of Legislative Service does not have sufficient information about the nature of the programming changes required to be made to the MVC website for the "Next-Of-Kin Registry" to determine the fiscal impact of the substitute. When similar changes have been made to commission-wide MVC software in the past, the MVC has indicated that it typically faces approximately \$50,000 in costs from the information technology contractors to make programming changes to the existing software. Depending upon the complexity of these changes, the MVC may face a similar or greater cost to implement these changes to the website component of the "Next-Of-Kin Registry."

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2966

with Senate Floor Amendments
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 18, 2017

These Senate Amendments delay the implementation of the bill from first day of the seventh month after enactment to the first day of the 13th month after enactment and clarify that the Chief Administrator of the New Jersey Motor Vehicle Commission may take anticipatory administrative action as may be necessary for the timely implementation of the bill.