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**LEGISLATIVE FISCAL ESTIMATE:** No

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

**MURPHY SIGNS INTO LAW IMMIGRANT LICENSE BILL - OFFICIALS SAY IT WILL TAKE YEAR BEFORE ACTUAL DOCUMENTS ARE ISSUED**

Record, The (Hackensack, NJ) - December 20, 2019

**NJ LEGISLATORS OK LICENSES FOR UNDOCUMENTED IMMIGRANTS**

Wayne Today (NJ) - December 19, 2019

Do I need a test? When can I get a license? Details on new NJ driver's license law northjersey.com (Published as northjersey.com (NJ)) - December 20, 2019

What you need to know about the new driver's licenses for undocumented immigrants in NJ northjersey.com (Published as northjersey.com (NJ)) - December 18, 2019

Gov. greenlights licenses for immigrants, The Jersey Journal (Jersey City, NJ) - December 20, 2019

Unauthorized immigrants to get licenses Gov. signs law allowing hundreds of thousands to get driver identification Star-Ledger, The (Newark, NJ) - December 20, 2019

Long-sought driver's license bill passes Licenses Star-Ledger, The (Newark, NJ) - December 18, 2019

Murphy signs bill giving undocumented immigrants access to driver's licenses Burlington County Times (Willingboro, NJ) - December 20, 2019

NJ will now allow driver licenses for undocumented immigrants NJBIZ (New Brunswick, NJ) - December 19, 2019

New law says undocumented immigrants in New Jersey can get driver's licenses northjersey.com (Published as northjersey.com (NJ)) - December 19, 2019

NJ enacts law letting immigrants without docs to get license Associated Press State Wire: New Jersey (NJ) - December 19, 2019

RH/CL

§§3,22 -  
C.39:3-10o &  
39:3-10p  
§5 - C.39:2-3.4a  
§7 - C.39:2A-44  
§21 –  
C.39:3-10.8b  
§§25,26 - T&E  
§27 - Note

P.L. 2019, CHAPTER 271, *approved December 19, 2019*  
Assembly, No. 4743 (*First Reprint*)

1 **AN ACT** concerning documents, driver’s licenses, and non-driver  
2 identification cards provided by the New Jersey Motor Vehicle  
3 Commission, amending various parts of the statutory law, and  
4 supplementing Title 39 of the Revised Statutes.

5

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

8

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

10 39:1-1. As used in this subtitle, unless other meaning is clearly  
11 apparent from the language or context, or unless inconsistent with  
12 the manifest intention of the Legislature:

13 "Alley" means a public highway wherein the roadway does not  
14 exceed 12 feet in width.

15 "Authorized emergency vehicles" means vehicles of the fire  
16 department, police vehicles and such ambulances and other vehicles  
17 as are approved by the chief administrator when operated in  
18 response to an emergency call.

19 "Autocycle" means a three-wheeled motorcycle designed to be  
20 controlled with a steering wheel and pedals in which the operator  
21 and passenger may ride in a completely or partially enclosed seating  
22 area that is equipped with a roll cage or roll hoops, safety seat belts  
23 for each occupant, and anti-lock brakes.

24 "Automobile" includes all motor vehicles except motorcycles.

25 "Berm" means that portion of the highway exclusive of roadway  
26 and shoulder, bordering the shoulder but not to be used for  
27 vehicular travel.

28 "Business district" means that portion of a highway and the  
29 territory contiguous thereto, where within any 600 feet along such  
30 highway there are buildings in use for business or industrial  
31 purposes, including but not limited to hotels, banks, office  
32 buildings, railroad stations, and public buildings which occupy at

**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:**

**<sup>1</sup>Assembly AAP committee amendments adopted December 12, 2019.**

1 least 300 feet of frontage on one side or 300 feet collectively on  
2 both sides of the roadway.

3 "Car pool" means two or more persons commuting on a daily  
4 basis to and from work by means of a vehicle with a seating  
5 capacity of nine passengers or less.

6 "Chief Administrator" or "Administrator" means the Chief  
7 Administrator of the New Jersey Motor Vehicle Commission.

8 "Commercial motor vehicle" includes every type of motor-driven  
9 vehicle used for commercial purposes on the highways, such as the  
10 transportation of goods, wares and merchandise, excepting such  
11 vehicles as are run only upon rails or tracks and vehicles of the  
12 passenger car type used for touring purposes or the carrying of farm  
13 products and milk, as the case may be.

14 "Commission" means the New Jersey Motor Vehicle  
15 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-  
16 4).

17 "Commissioner" means the Commissioner of Transportation of  
18 this State.

19 "Commuter van" means a motor vehicle having a seating  
20 capacity of not less than seven nor more than 15 adult passengers,  
21 in which seven or more persons commute on a daily basis to and  
22 from work and which vehicle may also be operated by the driver or  
23 other designated persons for their personal use.

24 "Crosswalk" means that part of a highway at an intersection,  
25 either marked or unmarked existing at each approach of every  
26 roadway intersection, included within the connections of the lateral  
27 lines of the sidewalks on opposite sides of the highway measured  
28 from the curbs or, in the absence of curbs, from the edges of the  
29 shoulder, or, if none, from the edges of the roadway; also, any  
30 portion of a highway at an intersection or elsewhere distinctly  
31 indicated for pedestrian crossing by lines or other marking on the  
32 surface.

33 "Curb extension" or "bulbout" means a horizontal extension of  
34 the sidewalk into the street which results in a narrower roadway  
35 section.

36 "Dealer" includes every person actively engaged in the business  
37 of buying, selling or exchanging motor vehicles or motorcycles and  
38 who has an established place of business.

39 "Deputy Chief Administrator" means the deputy chief  
40 administrator of the commission.

41 "Driver" means the rider or driver of a horse, bicycle or  
42 motorcycle or the driver or operator of a motor vehicle, unless  
43 otherwise specified.

44 "Explosives" means any chemical compound or mechanical  
45 mixture that is commonly used or intended for the purpose of  
46 producing an explosion and which contains any oxidizing and  
47 combustive units or other ingredients in such proportions, quantities

1 or packing that an ignition by fire, friction, by concussion, by  
2 percussion, or by detonator of any part of the compound or mixture  
3 may cause such a sudden generation of highly heated gases that the  
4 resultant gaseous pressures are capable of producing destructive  
5 effects on contiguous objects or of destroying life or limb.

6 "Farm tractor" means every motor vehicle designed and used  
7 primarily as a farm implement for drawing plows, mowing  
8 machines, and other implements of husbandry.

9 "Flammable liquid" means any liquid having a flash point below  
10 200 degrees Fahrenheit, and a vapor pressure not exceeding 40  
11 pounds.

12 "Gross weight" means the combined weight of a vehicle and a  
13 load thereon.

14 "High occupancy vehicle" or "HOV" means a vehicle which is  
15 used to transport two or more persons and shall include public  
16 transportation, car pool, van pool, and other vehicles as determined  
17 by regulation of the Department of Transportation.

18 "Highway" means the entire width between the boundary lines of  
19 every way publicly maintained when any part thereof is open to the  
20 use of the public for purposes of vehicular travel.

21 "Horse" includes mules and all other domestic animals used as  
22 draught animals or beasts of burden.

23 "Inside lane" means the lane nearest the center line of the  
24 roadway.

25 "Intersection" means the area embraced within the prolongation  
26 of the lateral curb lines or, if none, the lateral boundary lines of two  
27 or more highways which join one another at an angle, whether or  
28 not one such highway crosses another.

29 "Laned roadway" means a roadway which is divided into two or  
30 more clearly marked lanes for vehicular traffic.

31 "Leased limousine" means any limousine subject to regulation in  
32 the State which:

33 a. Is offered for rental or lease, without a driver, to be operated  
34 by a limousine service as the lessee, for the purpose of carrying  
35 passengers for hire; and

36 b. Is leased or rented for a period of one year or more  
37 following registration.

38 "Leased motor vehicle" means any motor vehicle subject to  
39 registration in this State which:

40 a. Is offered for rental or lease, without a driver, to be operated  
41 by the lessee, his agent or servant, for purposes other than the  
42 transportation of passengers for hire; and

43 b. Is leased or rented for a period of one year or more  
44 following registration.

45 "Limited-access highway" means every highway, street, or  
46 roadway in respect to which owners or occupants of abutting lands  
47 and other persons have no legal right of access to or from the same

1 except at such points only and in such manner as may be  
2 determined by the public authority having jurisdiction over such  
3 highway, street, or roadway; and includes any highway designated  
4 as a "freeway" or "parkway" by authority of law.

5 "Local authorities" means every county, municipal and other  
6 local board or body having authority to adopt local police  
7 regulations under the Constitution and laws of this State, including  
8 every county governing body with relation to county roads.

9 "Low-speed vehicle" means a four-wheeled low-speed vehicle,  
10 as defined in 49 **[CFR]** C.F.R. s.571.3(b), whose attainable speed is  
11 more than 20 miles per hour but not more than 25 miles per hour on  
12 a paved level surface and which is not powered by gasoline or  
13 diesel fuel and complies with federal safety standards as set forth in  
14 49 **[CFR]** C.F.R. s.571.500.

15 "Magistrate" means any municipal court and the Superior Court,  
16 and any officer having the powers of a committing magistrate and  
17 the chief administrator.

18 "Manufacturer" means a person engaged in the business of  
19 manufacturing or assembling motor vehicles, who will, under  
20 normal business conditions during the year, manufacture or  
21 assemble at least 10 new motor vehicles.

22 "Metal tire" means every tire the surface of which in contact with  
23 the highway is wholly or partly of metal or other hard nonresilient  
24 material.

25 "Mid-block crosswalk" means a crosswalk located away from an  
26 intersection, distinctly indicated by lines or markings on the  
27 surface.

28 "Motorized bicycle" means a pedal bicycle having a helper motor  
29 characterized in that either the maximum piston displacement is less  
30 than 50 cc. or said motor is rated at no more than 1.5 brake  
31 horsepower or is powered by an electric drive motor and said  
32 bicycle is capable of a maximum speed of no more than 25 miles  
33 per hour on a flat surface.

34 "Motorcycle" includes motorcycles, autocycles, motor bikes,  
35 bicycles with motor attached and all motor-operated vehicles of the  
36 bicycle or tricycle type, except motorized bicycles as defined in this  
37 section, whether the motive power be a part thereof or attached  
38 thereto and having a saddle or seat with driver sitting astride or  
39 upon it or a platform on which the driver stands.

40 "Motor-drawn vehicle" includes trailers, semitrailers, or any  
41 other type of vehicle drawn by a motor-driven vehicle.

42 "Motor vehicle" includes all vehicles propelled otherwise than by  
43 muscular power, excepting such vehicles as run only upon rails or  
44 tracks and motorized bicycles.

45 "Motorized scooter" means a miniature motor vehicle and  
46 includes, but is not limited to, pocket bikes, super pocket bikes,  
47 scooters, mini-scooters, sport scooters, mini choppers, mini

1 motorcycles, motorized skateboards and other vehicles with motors  
2 not manufactured in compliance with Federal Motor Vehicle Safety  
3 Standards and which have no permanent Federal Safety  
4 Certification stickers affixed to the vehicle by the original  
5 manufacturer. This term shall not include: electric personal  
6 assistive mobility devices, motorized bicycles or low-speed  
7 vehicles; or motorized wheelchairs, mobility scooters or similar  
8 mobility assisting devices used by persons with physical  
9 disabilities, or persons whose ambulatory mobility has been  
10 impaired by age or illness.

11 "Motorized skateboard" means a skateboard that is propelled  
12 otherwise than by muscular power.

13 "Motorized wheelchair" means any motor-driven wheelchair  
14 utilized to increase the independent mobility, in the activities of  
15 daily living, of an individual who has limited or no ambulation  
16 abilities, and includes mobility scooters manufactured specifically  
17 for such purposes and designed primarily for indoor use.

18 "Noncommercial truck" means every motor vehicle designed  
19 primarily for transportation of property, and which is not a  
20 "commercial vehicle."

21 "Official traffic control devices" means all signs, signals,  
22 markings, and devices not inconsistent with this subtitle placed or  
23 erected by authority of a public body or official having jurisdiction  
24 for the purpose of regulating, warning, or guiding traffic.

25 "Omnibus" includes all motor vehicles used for the  
26 transportation of passengers for hire, except commuter vans and  
27 vehicles used in ridesharing arrangements and school buses, if the  
28 same are not otherwise used in the transportation of passengers for  
29 hire.

30 "Operator" means a person who is in actual physical control of a  
31 vehicle or street car.

32 "Outside lane" means the lane nearest the curb or outer edge of  
33 the roadway.

34 "Owner" means a person who holds the legal title of a vehicle, or  
35 if a vehicle is the subject of an agreement for the conditional sale or  
36 lease thereof with the right of purchase upon performance of the  
37 conditions stated in the agreement and with an immediate right of  
38 possession vested in the conditional vendee or lessee, or if a  
39 mortgagor of a vehicle is entitled to possession, then the conditional  
40 vendee, lessee or mortgagor shall be deemed the owner for the  
41 purpose of this subtitle.

42 "Parking" means the standing or waiting on a street, road or  
43 highway of a vehicle not actually engaged in receiving or  
44 discharging passengers or merchandise, unless in obedience to  
45 traffic regulations or traffic signs or signals.

1 "Passenger automobile" means all automobiles used and  
2 designed for the transportation of passengers, other than omnibuses  
3 and school buses.

4 "Pedestrian" means a person afoot.

5 "Person" includes natural persons, firms, copartnerships,  
6 associations, and corporations.

7 "Pneumatic tire" means every tire in which compressed air is  
8 designed to support the load.

9 "Pole trailer" means every vehicle without motive power  
10 designed to be drawn by another vehicle and attached to the towing  
11 vehicle by means of a reach, or pole, or by being boomed or  
12 otherwise secured to the towing vehicle, and ordinarily used for  
13 transporting long or irregularly shaped loads, such as poles, pipes,  
14 or structural members capable, generally, of sustaining themselves  
15 as beams between the supporting connections.

16 "Private road or driveway" means every road or driveway not  
17 open to the use of the public for purposes of vehicular travel.

18 "Railroad train" means a steam engine, electric or other motor,  
19 with or without cars coupled thereto, operated upon rails, except  
20 street cars.

21 "REAL ID basic driver's license" means a basic driver's license  
22 issued by the commission that complies with the provisions of the  
23 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
24 supplementary thereto, and any federal regulations adopted  
25 thereunder.

26 "REAL ID identification card" means an identification card  
27 issued by the commission that complies with the provisions of the  
28 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
29 supplementary thereto, and any federal regulations adopted  
30 thereunder.

31 "REAL ID license" means any license to operate a motor vehicle  
32 issued by the commission that complies with the provisions of the  
33 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
34 supplementary thereto, and any federal regulations adopted  
35 thereunder.

36 "REAL ID motorcycle license" means a motorcycle license  
37 issued by the commission that complies with the provisions of the  
38 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
39 supplementary thereto, and any federal regulations adopted  
40 thereunder.

41 "REAL ID probationary license" means a probationary license  
42 issued by the commission that complies with the provisions of the  
43 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or  
44 supplementary thereto, and any federal regulations adopted  
45 thereunder.

46 "Recreation vehicle" means a self-propelled or towed vehicle  
47 equipped to serve as temporary living quarters for recreational,



1 camping or travel purposes and used solely as a family or personal  
2 conveyance.

3 "Residence district" means that portion of a highway and the  
4 territory contiguous thereto, not comprising a business district,  
5 where within any 600 feet along such highway there are buildings  
6 in use for business or residential purposes which occupy 300 feet or  
7 more of frontage on at least one side of the highway.

8 "Ridesharing" means the transportation of persons in a motor  
9 vehicle, with a maximum carrying capacity of not more than 15  
10 passengers, including the driver, where such transportation is  
11 incidental to the purpose of the driver. The term shall include such  
12 ridesharing arrangements known as car pools and van pools.

13 "Right-of-way" means the privilege of the immediate use of the  
14 highway.

15 "Road tractor" means every motor vehicle designed and used for  
16 drawing other vehicles and not so constructed as to carry any load  
17 thereon either independently or any part of the weight of a vehicle  
18 or load so drawn.

19 "Roadway" means that portion of a highway improved, designed,  
20 or ordinarily used for vehicular travel, exclusive of the berm or  
21 shoulder. In the event a highway includes two or more separate  
22 roadways, the term "roadway" as used herein shall refer to any such  
23 roadway separately, but not to all such roadways, collectively.

24 "Safety zone" means the area or space officially set aside within  
25 a highway for the exclusive use of pedestrians, which is so plainly  
26 marked or indicated by proper signs as to be plainly visible at all  
27 times while set apart as a safety zone.

28 "School bus" means every motor vehicle operated by, or under  
29 contract with, a public or governmental agency, or religious or other  
30 charitable organization or corporation, or privately operated for the  
31 transportation of children to or from school for secular or religious  
32 education, which complies with the regulations of the New Jersey  
33 Motor Vehicle Commission affecting school buses, including  
34 "School Vehicle Type I" and "School Vehicle Type II" as defined  
35 below:

36 "School Vehicle Type I" means any vehicle designed to transport  
37 16 or more passengers, including the driver, used to transport  
38 enrolled children, and adults only when serving as chaperones, to or  
39 from a school, school connected activity, day camp, summer day  
40 camp, summer residence camp, nursery school, child care center,  
41 preschool center or other similar places of education. Such vehicle  
42 shall comply with the regulations of the New Jersey Motor Vehicle  
43 Commission and either the Department of Education or the  
44 Department of Human Services, whichever is the appropriate  
45 supervising agency.

46 "School Vehicle Type II" means any vehicle designed to  
47 transport less than 16 passengers, including the driver, used to

1 transport enrolled children, and adults only when serving as  
2 chaperones, to or from a school, school connected activity, day  
3 camp, summer day camp, summer residence camp, nursery school,  
4 child care center, preschool center or other similar places of  
5 education. Such vehicle shall comply with the regulations of the  
6 New Jersey Motor Vehicle Commission and either the Department  
7 of Education or the Department of Human Services, whichever is  
8 the appropriate supervising agency.

9 "School zone" means that portion of a highway which is either  
10 contiguous to territory occupied by a school building or is where  
11 school crossings are established in the vicinity of a school, upon  
12 which are maintained appropriate "school signs" in accordance with  
13 specifications adopted by the chief administrator and in accordance  
14 with law.

15 "School crossing" means that portion of a highway where school  
16 children are required to cross the highway in the vicinity of a  
17 school.

18 "Semitrailer" means every vehicle with or without motive power,  
19 other than a pole trailer, designed for carrying persons or property  
20 and for being drawn by a motor vehicle and so constructed that  
21 some part of its weight and that of its load rests upon or is carried  
22 by another vehicle.

23 "Shipper" means any person who shall deliver, or cause to be  
24 delivered, any commodity, produce or article for transportation as  
25 the contents or load of a commercial motor vehicle. In the case of a  
26 sealed ocean container, "shipper" shall not be construed to include  
27 any person whose activities with respect to the shipment are limited  
28 to the solicitation or negotiation of the sale, resale, or exchange of  
29 the commodity, produce or article within that container.

30 "Shoulder" means that portion of the highway, exclusive of and  
31 bordering the roadway, designed for emergency use but not  
32 ordinarily to be used for vehicular travel.

33 "Sidewalk" means that portion of a highway intended for the use  
34 of pedestrians, between the curb line or the lateral line of a  
35 shoulder, or if none, the lateral line of the roadway and the adjacent  
36 right-of-way line.

37 "Sign." See "Official traffic control devices."

38 "Slow-moving vehicle" means a vehicle run at a speed less than  
39 the maximum speed then and there permissible.

40 "Solid tire" means every tire of rubber or other resilient material  
41 which does not depend upon compressed air for the support of the  
42 load.

43 "Standard" means, when used to describe any license to operate  
44 a motor vehicle or any identification card issued by the commission  
45 under the provisions of this Title, that the issuance of the license or  
46 identification card does not require proof of lawful presence in the  
47 United States.

1 "Street" means the same as highway.

2 "Street car" means a car other than a railroad train, for  
3 transporting persons or property and operated upon rails principally  
4 within a municipality.

5 "Stop," when required, means complete cessation from  
6 movement.

7 "Stopping or standing," when prohibited, means any cessation of  
8 movement of a vehicle, whether occupied or not, except when  
9 necessary to avoid conflict with other traffic or in compliance with  
10 the directions of a police officer or traffic control sign or signal.

11 "Suburban business or residential district" means that portion of  
12 highway and the territory contiguous thereto, where within any  
13 1,320 feet along that highway there is land in use for business or  
14 residential purposes and that land occupies more than 660 feet of  
15 frontage on one side or collectively more than 660 feet of frontage  
16 on both sides of that roadway.

17 "Through highway" means every highway or portion thereof at  
18 the entrances to which vehicular traffic from intersecting highways  
19 is required by law to stop before entering or crossing the same and  
20 when stop signs are erected as provided in this chapter.

21 "Trackless trolley" means every motor vehicle which is propelled  
22 by electric power obtained from overhead trolley wires but not  
23 operated upon rails.

24 "Traffic" means pedestrians, ridden or herded animals, vehicles,  
25 street cars, and other conveyances either singly, or together, while  
26 using any highway for purposes of travel.

27 "Traffic control signal" means a device, whether manually,  
28 electrically, mechanically, or otherwise controlled, by which traffic  
29 is alternately directed to stop and to proceed.

30 "Trailer" means every vehicle with or without motive power,  
31 other than a pole trailer, designed for carrying persons or property  
32 and for being drawn by a motor vehicle and so constructed that no  
33 part of its weight rests upon the towing vehicle.

34 "Truck" means every motor vehicle designed, used, or  
35 maintained primarily for the transportation of property.

36 "Truck tractor" means every motor vehicle designed and used  
37 primarily for drawing other vehicles and not so constructed as to  
38 carry a load other than a part of the weight of the vehicle and load  
39 so drawn.

40 "Van pooling" means seven or more persons commuting on a  
41 daily basis to and from work by means of a vehicle with a seating  
42 arrangement designed to carry seven to 15 adult passengers.

43 "Vehicle" means every device in, upon or by which a person or  
44 property is or may be transported upon a highway, excepting  
45 devices moved by human power or used exclusively upon stationary  
46 rails or tracks or motorized bicycles.

47 (cf: P.L.2016, c.35, s.1)

- 1       **1**[17.] 2.<sup>1</sup> Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended  
2 to read as follows:
- 3       2. The Legislature finds and declares that:
- 4       a. The Division of Motor Vehicle Services (DMV) is one of the  
5 State's principal customer service agencies with regular and direct  
6 contact with virtually every citizen;
- 7       b. The DMV has over 15 million contacts a year with the  
8 public, including 39 million transactions, more than any other State  
9 agency;
- 10       c. The DMV has responsibility for issuing and certifying motor  
11 vehicle driver's licenses, ensuring the proper registration of motor  
12 vehicles, as well as conducting safety and emissions inspections of  
13 motor vehicles;
- 14       d. The public expects courteous, efficient and accessible  
15 service from government agencies, including the DMV;
- 16       e. The DMV's failed security systems are contributing to a  
17 growing national problem of identity theft that is costing New  
18 Jersey and the nation millions of dollars each week;
- 19       f. In the past, the DMV has been unable to deal with fraud and  
20 corruption because of inadequate funding, training, security,  
21 internal controls and oversight;
- 22       g. The DMV must improve its security system and equipment,  
23 and its fraud detection, training and monitoring so that fraudulent  
24 driver's licenses, such as those used in the furtherance of terroristic  
25 activities, will be eliminated;
- 26       h. Internal audits and controls and investigations are also  
27 needed to detect patterns of fraud, theft, corruption, identity theft  
28 and mismanagement in the issuance of driver's licenses,  
29 registrations, and titles because DMV documents must be more  
30 resistant to compromise;
- 31       i. Criminals have used counterfeit passports, Social Security  
32 cards, county identification cards, pay stubs and W-2 forms to  
33 obtain fraudulent driver's licenses and identification cards in  
34 furtherance of identity-theft schemes;
- 35       j. Proper identification must be required at all phases of the  
36 licensing and driver testing process to assure that only those persons  
37 qualified to legally obtain licenses do so;
- 38       k. It is essential that DMV records be matched with Social  
39 Security Administration records, when presented, in order to verify  
40 the validity of Social Security numbers in DMV databases;
- 41       l. Cameras, armed security guards, panic buttons, alarms,  
42 safety upgrades, card access systems and door replacements are  
43 needed in order to prevent fraud;
- 44       m. Employees or agents of the DMV should be required to  
45 undergo background checks and fingerprinting;

- 1 n. Cleaning crews and maintenance workers at DMV facilities  
2 must be supervised by DMV employees to ensure the security of  
3 DMV records;
- 4 o. In a time of rapidly changing information technology and  
5 Internet communications, the DMV lacks an information  
6 technology plan to bring it to the 21st Century and still operates on  
7 a decades-old computer network with patchwork hardware,  
8 antiquated software and obsolete display terminals that lack  
9 processing abilities;
- 10 p. Previous DMV efforts to implement complex technological  
11 mandates have failed, due to bureaucratic mismanagement,  
12 inefficient planning and inadequate oversight, as characterized by  
13 reports of the State Commission of Investigation;
- 14 q. The DMV has become a reactive agency, struggling to keep  
15 up with the demands of newly legislated responsibilities, and  
16 without the necessary resources to prevent fraud and corruption at  
17 its front-line agencies and without the ability to provide even  
18 adequate service to its six million customers;
- 19 r. The DMV needs a strategic business plan, which is a key to  
20 the operation of an agency, and must work within the confines of  
21 such plan in an effort to adopt best practices, improve customer  
22 service and gain back the confidence of New Jersey citizens and the  
23 Legislature;
- 24 s. The DMV's privatization of some of its agencies in July  
25 1995 has created poor, disjointed and confused service delivery  
26 without consistency among the agencies in terms of policies and  
27 procedures, which has led to confusion and frustration in the minds  
28 of New Jersey citizens;
- 29 t. The DMV privatization has also resulted in poorly paid  
30 employees who have received inadequate benefits, resulting in a  
31 high turnover rate at DMV agencies;
- 32 u. A major benefit to a State-operated DMV system is the  
33 ability to centralize anti-fraud policies and procedures;
- 34 v. Historically, the privately-operated local motor vehicle  
35 agencies have been plagued with long lines, poor customer service  
36 and inadequate business practices that have routinely caused  
37 network delays and failures for hours at a time;
- 38 w. The DMV would be in a better position to plan for long-term  
39 improvements, replacements and daily operations if it had a  
40 dedicated and consistent source of funding;
- 41 x. In order to address the various problems with the DMV, a  
42 "FIX DMV Commission" was formed on April 25, 2002, by  
43 Governor's Executive Order Number 19 to conduct a comprehensive  
44 review of the DMV and to make recommendations on the  
45 restructuring and reorganization of the agency;
- 46 y. The "FIX DMV Commission" has reported that the DMV is  
47 in crisis and has recommended that a New Jersey Motor Vehicle

1 Commission be formed in, but not of, the Department of  
2 Transportation to replace the current New Jersey Division of Motor  
3 Vehicles with the purposes of: (1) identifying and regulating drivers  
4 and motor vehicles to deter unlawful and unsafe acts; (2)  
5 identifying and correcting vehicle defects and limiting the amount  
6 of vehicle-produced air pollution; (3) focusing on and responding to  
7 customer service and security issues; and (4) effectuating change by  
8 bringing greater attention and resources to the needs of the  
9 organization;

10 z. It is therefore in the public interest to create a New Jersey  
11 Motor Vehicle Commission, the duties of which would include, but  
12 not be limited to: (1) addressing the multitude of functions  
13 assigned to it while curtailing fraudulent and criminal activities that  
14 present threats to the State's security system; (2) following a multi-  
15 year strategic business plan that is constantly reviewed and updated,  
16 thus avoiding the need for the cyclical reforms that have  
17 characterized its history; and (3) conducting operations on a fiscal  
18 year budget, controlling fees sufficient to fund the budget, adopting  
19 regulations regarding processes and fees; and implementing an  
20 annual strategic business plan.

21 (cf: P.L.2003, c.13, s.2)

22

23 13. (New section) The Legislature finds and declares that:

24 a. It is the responsibility of the State to ensure that all New  
25 Jersey residents that are of driving age are properly trained, tested,  
26 and insured in order to make public roads safer.

27 b. The State could improve roadway safety and automobile  
28 insurance coverage by making driver's licenses and permits  
29 available to any safe driver who meets all of the requirements  
30 relating to the driver's ability to safely operate a motor vehicle, and  
31 who provides proof of identity, qualifying age, and New Jersey  
32 residency.

33 c. Fourteen states, the District of Columbia, and Puerto Rico  
34 now allow individuals to drive if the individual is a qualified driver  
35 and provides proof that establishes age, identity, and state  
36 residency.

37 d. The measures in P.L. , c. (C. ) (pending before the  
38 Legislature as this bill) will protect the standard basic driver license  
39 and non-driver identification card as a valid and respected form of  
40 identification by requiring multiple documents, as deemed  
41 acceptable by the commission, in order to obtain the standard basic  
42 driver's license or non-driver identification card.

43 e. It is therefore the intent of the Legislature to support road  
44 safety and privacy protections by making driver's licenses available  
45 to any safe driver who meets all requirements relating to the  
46 driver's ability to operate a motor vehicle, pursuant to R.S.39:3-10,

1 and who provides proof of identity, qualifying age, and residency  
2 pursuant to the provisions of State law.<sup>1</sup>

3

4 <sup>1</sup>4. Section 2 of P.L.1997, c.188 (C.39:2-3.4) is amended to read  
5 as follows:

6 2. a. Notwithstanding the provisions of P.L.1963, c.73  
7 (C.47:1A-1 et seq.) or any other law to the contrary, except as  
8 provided in this act, the New Jersey Motor Vehicle Commission and  
9 any officer, employee or contractor thereof shall not knowingly  
10 disclose or otherwise make available to any person personal  
11 information about any individual obtained by the commission in  
12 connection with a motor vehicle record.

13 b. A person requesting a motor vehicle record including  
14 personal information shall produce proper identification and shall  
15 complete and submit a written request form provided by the chief  
16 administrator for the commission's approval. The written request  
17 form shall bear notice that the making of false statements therein is  
18 punishable and shall include, but not be limited to, the requestor's  
19 name and address; the requestor's driver's license number or  
20 corporate identification number; the requestor's reason for  
21 requesting the record; the driver's license number or the name,  
22 address and birth date of the person whose driver record is  
23 requested; the license plate number or VIN number of the vehicle  
24 for which a record is requested; any additional information  
25 determined by the chief administrator to be appropriate and the  
26 requestor's certification as to the truth of the foregoing statements.  
27 Prior to the approval of the written request form, the commission  
28 may also require the requestor to submit documentary evidence  
29 supporting the reason for the request.

30 In lieu of completing a written request form for each record  
31 requested, the commission may permit a person to complete and  
32 submit for approval of the chief administrator or the chief  
33 administrator's designee, on a case by case basis, a written  
34 application form for participation in a public information program  
35 on an ongoing basis. The written application form shall bear notice  
36 that the making of false statements therein is punishable and shall  
37 include, but not be limited to, the applicant's name, address and  
38 telephone number; the nature of the applicant's business activity; a  
39 description of each of the applicant's intended uses of the  
40 information contained in the motor vehicle records to be requested;  
41 the number of employees with access to the information; the name,  
42 title, and signature of the authorized company representative; and  
43 any additional information determined by the chief administrator to  
44 be appropriate. The chief administrator may also require the  
45 applicant to submit a copy of its business credentials, such as a  
46 license to do business or a certificate of incorporation. Prior to  
47 approval by the chief administrator or the chief administrator's

1 designee, the applicant shall certify in writing as to the truth of all  
2 statements contained in the completed application form.

3 c. Personal information shall be disclosed for use in connection  
4 with matters of motor vehicle or driver safety and theft; motor  
5 vehicle emissions; motor vehicle product alterations, recalls or  
6 advisories; performance monitoring of motor vehicles and dealers  
7 by motor vehicle manufacturers; and removal of non-owner records  
8 from the original owner records of motor vehicle manufacturers to  
9 carry out the purposes of the Automobile Information Disclosure  
10 Act, Pub.L.85-506, the Motor Vehicle Information and Cost Saving  
11 Act, Pub.L.92-513, the National Traffic and Motor Vehicle Safety  
12 Act of 1966, Pub.L.89-563, the Anti-Car Theft Act of 1992,  
13 Pub.L.102-519, and the Clean Air Act, Pub.L.88-206, and may be  
14 disclosed as follows:

15 (1) For use by any government agency, including any court or  
16 law enforcement agency in carrying out its functions, or any private  
17 person or entity acting on behalf of a federal, State, or local agency  
18 in carrying out its functions.

19 (2) For use in connection with matters of motor vehicle or driver  
20 safety and theft; motor vehicle emissions; motor vehicle product  
21 alterations, recalls, or advisories; performance monitoring of motor  
22 vehicles, motor vehicle parts and dealers; motor vehicle market  
23 research activities, including survey research; and the removal of  
24 non-owner records from the original owner records of motor vehicle  
25 manufacturers.

26 (3) For use in the normal course of business by a legitimate  
27 business or its agents, employees, or contractors, but only:

28 (a) to verify the accuracy of personal information submitted by  
29 the individual to the business or its agents, employees, or  
30 contractors; and

31 (b) if such information as so submitted is not correct or is no  
32 longer correct, to obtain the correct information, but only for the  
33 purposes of preventing fraud by, pursuing legal remedies against, or  
34 recovering on a debt or security interest against the individual.

35 (4) For use in connection with any civil, criminal, administrative  
36 or arbitral proceeding in any federal, State, or local court or agency  
37 or before any self-regulatory body, including service of process,  
38 investigation in anticipation of litigation, and the execution or  
39 enforcement of judgments and orders, or pursuant to an order of a  
40 federal, State, or local court.

41 (5) For use in educational initiatives, research activities, and for  
42 use in producing statistical reports, so long as the personal  
43 information is not published, redisclosed, or used to contact  
44 individuals and, in the case of educational initiatives, only to organ  
45 procurement organizations as aggregated, non-identifying  
46 information.



- 1 (6) For use by any insurer or insurance support organization, or  
2 by a self-insured entity, or its agents, employees, or contractors, in  
3 connection with claims investigation activities, antifraud activities,  
4 rating or underwriting.
- 5 (7) For use in providing notice to the owners of towed or  
6 impounded vehicles.
- 7 (8) For use by an employer or its agent or insurer to obtain or  
8 verify information relating to a holder of a commercial driver's  
9 license that is required under the "Commercial Motor Vehicle  
10 Safety Act," 49 U.S.C.App.s.2710 et seq.
- 11 (9) For use in connection with the operation of private toll  
12 transportation facilities.
- 13 (10) For use by any requestor, if the requestor demonstrates it  
14 has obtained the notarized written consent of the individual to  
15 whom the information pertains.
- 16 (11) For product and service mail communications from  
17 automotive-related manufacturers, dealers and businesses, if the  
18 commission has implemented methods and procedures to ensure  
19 that:
- 20 (a) individuals are provided an opportunity, in a clear and  
21 conspicuous manner, to prohibit such uses; and
- 22 (b) product and service mail communications from automotive-  
23 related manufacturers, dealers and businesses will not be directed at  
24 individuals who exercise their option under subparagraph (a) of this  
25 paragraph.
- 26 (12) For use by an organ procurement organization designated  
27 pursuant to 42 U.S.C.s.1320b-8 to serve in the State of New Jersey,  
28 or any donor registry established by any such organization,  
29 exclusively for the purposes of determining, verifying, and  
30 recording organ and tissue donor designation and identity. For these  
31 purposes, an organ procurement organization shall have electronic  
32 access at all times, without exception, to real-time organ donor  
33 designation and identification information. An organ procurement  
34 organization may also have information for research activities,  
35 pursuant to paragraph (5) of subsection c. of this section.
- 36 d. As provided by the federal "Drivers' Privacy Protection Act  
37 of 1994," Pub.L.103-322, a person authorized to receive personal  
38 information under paragraphs (1) through (10) of subsection c. of  
39 this section may resell or redisclose the personal information only  
40 for a use permitted by paragraphs (1) through (10) of subsection c.  
41 of this section subject to regulation by the commission. A person  
42 authorized to receive personal information under paragraph (11) of  
43 subsection c. of this section may resell or redisclose the personal  
44 information pursuant to paragraph (11) of subsection c. of this  
45 section subject to regulation by the commission. An organization  
46 authorized to receive personal information under paragraph (12) of

1 subsection c. of this section may redisclose the personal information  
2 only for the purposes set forth in that paragraph.

3 e. As provided by the federal “Drivers’ Privacy Protection Act  
4 of 1994,” Pub.L.103-322, a person authorized to receive personal  
5 information under this section who resells or rediscloses personal  
6 information covered by the provisions of **[this act]** P.L.1997, c.188  
7 (C.39:2-3.3 et seq.) shall keep for a period of five years records  
8 identifying each person or entity that receives information and the  
9 permitted purpose for which the information will be used and shall  
10 make such records available to the commission upon request. Any  
11 person who receives, from any source, personal information from a  
12 motor vehicle record shall release or disclose that information only  
13 in accordance with **[this act]** P.L.1997, c.188 (C.39:2-3.3 et seq.).

14 f. The release of personal information under this section shall  
15 not include an individual’s social security number except in  
16 accordance with applicable State or federal law.

17 g. Notwithstanding any provision to the contrary, the  
18 commission shall not use, or disclose to any federal, State, or local  
19 law enforcement any motor vehicle record containing personal  
20 information, or any personal information, as this term is defined in  
21 section 1 of P.L.1997, c.188 (C.39:2-3.3), for any purposes related  
22 to Title 8 of the United States Code without the informed consent of  
23 the applicant, a warrant signed by a State or federal judge, lawful  
24 court order, or subpoena, except that nothing in this section shall be  
25 construed to prohibit, or in any way restrict, any action where such  
26 prohibition or restriction would be contrary to federal law.

27 When responding to a warrant, court order, or subpoena, the  
28 commission may disclose only those records or information  
29 specifically requested in the warrant, court order, or subpoena.<sup>1</sup>

30 (cf: P.L.2008, c.48, s.12)

31

32 <sup>1</sup>5. (New section) a. An applicant for a standard basic driver’s  
33 license, standard motorcycle license, standard permit, standard  
34 probationary license, or standard non-driver identification card shall  
35 only be required to provide information or documentation necessary  
36 to determine eligibility for the standard basic driver’s license,  
37 standard motorcycle license, standard permit, standard probationary  
38 license, or standard non-driver identification card for which the  
39 applicant has applied. This provision shall not prohibit voluntary  
40 submission of documents as a proof of identity to obtain a standard  
41 basic driver’s license, standard motorcycle license, standard permit,  
42 standard probationary license, or standard non-driver identification  
43 card.

44 Any application form for a standard basic driver’s license,  
45 standard motorcycle license, standard permit, standard probationary  
46 license, or standard non-driver identification card shall not request

1 or require an applicant to state the reason for which an applicant is  
2 ineligible to receive a social security number.

3 b. The commission may not retain copies, scanned images, or  
4 records of any kind of primary or secondary documents submitted  
5 to establish eligibility to obtain a standard basic driver's license,  
6 standard motorcycle license, standard permit, standard probationary  
7 license, or standard non-driver identification card, in accordance  
8 with the point based identification verification program established  
9 pursuant to section 28 of P.L.2003, c.13 (C.39:2A-28), except when  
10 necessary for purposes of investigating identity fraud, driver's  
11 license fraud, or non-driver identification card fraud.

12 c. The commission shall not disclose or otherwise make  
13 accessible for any purposes related to Title 8 of the United States  
14 Code any portion of any record that identifies whether or not the  
15 type of basic driver's license, motorcycle license, permit,  
16 probationary license, or non-driver identification card that a person  
17 has applied for complies with the provisions of the "REAL ID Act  
18 of 2005," Pub.L.109-13, any acts amendatory or supplementary  
19 thereto, and any federal regulations adopted thereunder, except  
20 where: (1) the applicant provides written informed consent to the  
21 disclosure; (2) the requesting entity presents a warrant signed by a  
22 State or federal judge, lawful court order, or subpoena; (3) required  
23 by State or federal law; or (4) the disclosure is in connection with  
24 an audit or investigation of identity fraud, driver's license fraud, or  
25 non-driver identification fraud.<sup>1</sup>

26

27 <sup>1</sup>6. Section 28 of P.L.2003, c.13 (C.39:2A-28) is amended to  
28 read as follows:

29 28. In addition to any powers and duties otherwise imposed by  
30 **【this act】** P.L.2003, c.13 (39:2A-1 et al.), the chief administrator  
31 shall have general responsibility for the implementation of **【this**  
32 **act】** P.L.2003, c.13 (39:2A-1 et al.), and shall, without limitation:

33 a. Perform, exercise<sub>2</sub> and discharge the functions, powers<sub>2</sub> and  
34 duties of the commission through such offices as may be established  
35 by **【this act】** P.L.2003, c.13 (39:2A-1 et al.) or otherwise by law;

36 b. Administer and organize the work of the commission in such  
37 organizational units, and from time to time alter the plan of  
38 organization as deemed expedient, as necessary for the secure,  
39 efficient and effective operation of the commission;

40 c. Appoint, remove<sub>2</sub> and fix the compensation of subordinate  
41 officers and other personnel employed by the commission in  
42 accordance with the commission's table of organization, except as  
43 herein otherwise specifically provided;

44 d. Appoint, remove, and fix the compensation and terms of  
45 employment of the deputy administrator, who shall serve in the  
46 State unclassified service, in accordance with the commission's  
47 table of organization;

1 e. Organize and maintain an administrative office and employ  
2 therein such secretarial, clerical, and other assistants in the  
3 commission as the internal operations of the commission may  
4 require;

5 f. Formulate and adopt rules and regulations for the efficient  
6 conduct of the work and general administration of the commission,  
7 its officers and employees;

8 g. Prepare an annual budget, and submit it to the board;

9 h. Prepare annually, a strategic business plan and submit it to  
10 the board, including a facilities improvement and management plan  
11 and a table of organization;

12 i. Institute or cause to be instituted such legal proceedings or  
13 processes as may be necessary to properly enforce and give effect to  
14 any of the powers or duties of the chief administrator;

15 j. Report as the Governor shall from time to time request or as  
16 may be required by law;

17 k. Collect all fees, fines, penalties, surcharges, service charges,  
18 and other charges imposed by **[this act]** P.L.2003, c.13 (39:2A-1 et  
19 al.) and the regulations issued pursuant thereto or pursuant to law;

20 l. Develop and maintain a master list of all assets;

21 m. Oversee the implementation of the facilities improvement  
22 and management plan, in consultation with the State Treasurer;  
23 **[and]**

24 n. Perform such other functions as may be prescribed in **[this**  
25 **act]** P.L.2003, c.13 (39:2A-1 et al.) or by any other law or by the  
26 board; and

27 o. Establish a point based identification verification program,  
28 or a successor identification verification program as the chief  
29 administrator deems appropriate, which shall be used to prove the  
30 identity of any applicant for a basic driver's license, probationary  
31 license, permit, or non-driver identification card.<sup>1</sup>

32 (cf: P.L.2007, c.335, s.14)

33  
34 <sup>1</sup>7. (New section) In addition to the customer service and  
35 security requirements set forth under this title, the Chief  
36 Administrator of the New Jersey Motor Vehicle Commission shall  
37 provide language translation services at each commission agency  
38 and regional service center location that processes applications for  
39 basic driver's licenses, permits, probationary driver's licenses, or  
40 motor vehicle registration certificates. The language translation  
41 services shall be provided in a language spoken and understood by  
42 each applicant.

43 The commission shall translate its most commonly used  
44 application forms as determined by the chief administrator into each  
45 of the three languages, other than English, most commonly spoken  
46 in the State. The chief administrator shall periodically, and at least

1 every five years, verify the three languages, other than English,  
2 most commonly spoken in the State.<sup>1</sup>

3

4 <sup>1</sup>**[2.] 8.**<sup>1</sup> R.S.39:3-10 is amended to read as follows:

5 39:3-10. A person shall not drive a motor vehicle on a public  
6 highway in this State unless the person is under supervision while  
7 participating in a behind-the-wheel driving course pursuant to  
8 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
9 validated permit, or a probationary or basic driver's license issued to  
10 that person in accordance with this article.

11 A person under 18 years of age shall not be issued a basic license  
12 to drive motor vehicles, and a person shall not be issued a validated  
13 permit, including a validated examination permit, until the applicant  
14 has passed a satisfactory examination and other requirements as to  
15 the applicant's ability as an operator. The examination shall  
16 include: a test of the applicant's vision; the applicant's ability to  
17 understand traffic control devices; the applicant's knowledge of safe  
18 driving practices, including the dangers of driving a vehicle in an  
19 aggressive manner, which shall include, but not be limited to,  
20 unexpectedly altering the speed of a vehicle, making improper or  
21 erratic traffic lane changes, disregarding traffic control devices,  
22 failing to yield the right of way, and following another vehicle too  
23 closely; the applicant's knowledge of operating a motor vehicle in a  
24 manner that safely shares the roadway with pedestrians, cyclists,  
25 skaters, riders of motorized-scooters, and other non-motorized  
26 vehicles, which shall include, but not be limited to, passing a cyclist  
27 on the roadway, recognizing bicycle lanes, navigating intersections  
28 with pedestrians and cyclists, and exiting a vehicle without  
29 endangering pedestrians and cyclists; the applicant's knowledge of  
30 the effects that ingestion of alcohol or drugs has on a person's  
31 ability to operate a motor vehicle; the applicant's knowledge of the  
32 dangers of carbon monoxide poisoning from motor vehicles and  
33 techniques for the safe operation and proper maintenance of a motor  
34 vehicle; the applicant's knowledge of portions of the mechanism of  
35 motor vehicles as is necessary to insure the safe operation of a  
36 vehicle of the kind or kinds indicated by the applicant; and the  
37 applicant's knowledge of the laws and ordinary usages of the road.  
38 The examination shall be made available in English and each of the  
39 three languages, other than English, most commonly spoken in the  
40 State, as determined by the chief administrator. The chief  
41 administrator shall periodically, and at least every five years, verify  
42 the three languages, other than English, most commonly spoken in  
43 the State.

44 A person shall not sit for an examination for any permit without  
45 exhibiting photo identification deemed acceptable by the  
46 commission, unless that person is a high school student  
47 participating in a course of automobile driving education approved

1 by the State Department of Education and conducted in a public,  
2 parochial, or private school of this State, pursuant to section 1 of  
3 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the  
4 written law knowledge examination for any person 18 years of age  
5 or older possessing a valid driver's license issued by any other state,  
6 the District of Columbia, or the United States Territories of  
7 American Samoa, Guam, <sup>1</sup>Northern Mariana Islands,<sup>1</sup> Puerto Rico,  
8 or the Virgin Islands. The commission shall be required to provide  
9 that person with a booklet that highlights those motor vehicle laws  
10 unique to New Jersey. A road test shall be required for a  
11 probationary license and serve as a demonstration of the applicant's  
12 ability to operate a vehicle of the class designated. During the road  
13 test, an applicant may use a rear visibility system, parking sensors,  
14 or other technology installed on the motor vehicle that enables the  
15 applicant to view areas directly behind the vehicle or alerts the  
16 applicant of obstacles while parking.

17 A person shall not sit for a road test unless that person exhibits  
18 photo identification deemed acceptable by the commission. A high  
19 school student who has completed a course of behind-the-wheel  
20 automobile driving education approved by the State Department of  
21 Education and conducted in a public, parochial, or private school of  
22 this State, who has been issued a special learner's permit pursuant to  
23 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,  
24 shall not be required to exhibit photo identification in order to sit  
25 for a road test. The commission may waive the road test for any  
26 person 18 years of age or older possessing a valid driver's license  
27 issued by any other state, the District of Columbia, or the United  
28 States Territories of American Samoa, Guam, <sup>1</sup>Northern Mariana  
29 Islands,<sup>1</sup> Puerto Rico, or the Virgin Islands. The road test shall be  
30 given on public streets, where practicable and feasible, but may be  
31 preceded by an off-street screening process to assess basic skills.  
32 The commission shall approve locations for the road test which  
33 pose no more than a minimal risk of injury to the applicant, the  
34 examiner, and other motorists. New locations for the road test shall  
35 not be approved unless the test can be given on public streets.

36 A person who successfully completes a road test for a  
37 motorcycle license or a motorcycle endorsement when operating a  
38 motorcycle or motorized scooter with an engine displacement of  
39 less than 231 cubic centimeters shall be issued a motorcycle license  
40 or endorsement restricting the person's operation of the vehicles to  
41 any motorcycle with an engine displacement of 500 cubic  
42 centimeters or less. A person who successfully completes a road  
43 test for a motorcycle license or motorcycle endorsement when  
44 operating a motorcycle with an engine displacement of 231 or more  
45 cubic centimeters shall be issued a motorcycle license or  
46 endorsement without any restriction as to engine displacement.  
47 Any person who successfully completes an approved motorcycle

1 safety education course established pursuant to the provisions of  
2 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a  
3 motorcycle license or endorsement without restriction as to engine  
4 displacement.

5 A person issued a motorcycle license pursuant to this section  
6 may be issued a standard motorcycle license or a REAL ID  
7 motorcycle license. <sup>1</sup>The chief administrator shall require an  
8 applicant for a standard motorcycle license to provide as proof of  
9 the applicant's identity, age, and residence primary and secondary  
10 documents, with which the chief administrator shall attribute point  
11 values in accordance with the point based identification verification  
12 program established pursuant to section 28 of P.L.2003, c.13  
13 (C.39:2A-28). The point total required to prove the identity of an  
14 applicant for the standard motorcycle license shall be the same for  
15 every applicant, regardless of immigration status. In the event that  
16 the commission changes the point total threshold, the requirement  
17 that every applicant reach the same point total threshold shall  
18 remain in effect.<sup>1</sup>

19 In addition to requiring the person to submit satisfactory proof of  
20 identity and age, the commission shall require the person to  
21 provide:

22 (1) as a condition for obtaining a standard motorcycle license,  
23 <sup>1</sup>["two documents"] proof of the person's social security number and  
24 one document<sup>1</sup> providing satisfactory proof that the person is a New  
25 Jersey resident <sup>1</sup>["and proof of the person's social security  
26 number"]<sup>1</sup>.

27 If the person does not have a social security number, the person  
28 shall <sup>1</sup>either:

29 (a) provide satisfactory proof of an Individual Taxpayer  
30 Identification Number; or

31 (b)<sup>1</sup> indicate, in a manner prescribed by the commission <sup>1</sup>and  
32 consistent with all other provisions of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_)  
33 (pending before the Legislature as this bill)<sup>1</sup>, that the person is not  
34 eligible to receive a social security number; or

35 (2) as a condition for obtaining a REAL ID motorcycle license:  
36 two documents providing satisfactory proof that the person is a New  
37 Jersey resident; proof of the person's social security number or  
38 verification of ineligibility for a social security number in  
39 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
40 acts amendatory or supplementary thereto, and any federal  
41 regulations adopted thereunder; and proof that the person's  
42 presence in the United States is authorized under federal law.

43 A standard motorcycle license shall indicate that the license shall  
44 not be accepted as identification for an official purpose, as that term  
45 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any  
46 acts amendatory or supplementary thereto, and any federal

1 regulations adopted thereunder <sup>1</sup>], and shall bear a unique design or  
2 color to indicate that the license shall not be accepted for such  
3 official purpose <sup>1</sup>.

4 The commission shall issue a standard basic driver's license or a  
5 REAL ID basic driver's license to operate a motor vehicle other  
6 than a motorcycle to a person over 18 years of age who previously  
7 has not been licensed to drive a motor vehicle in this State or  
8 another jurisdiction only if that person has: (1) operated a passenger  
9 automobile in compliance with the requirements of this Title for not  
10 less than one year, not including any period of suspension or  
11 postponement, from the date of issuance of a probationary license  
12 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been  
13 assessed more than two motor vehicle points; (3) not been convicted  
14 in the previous year for a violation of R.S.39:4-50, section 2 of  
15 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189  
16 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,  
17 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other  
18 motor vehicle-related violation the commission determines to be  
19 significant and applicable pursuant to regulation; and (4) passed an  
20 examination of the applicant's ability to operate a motor vehicle  
21 pursuant to this section.

22 The commission shall expand the driver's license examination by  
23 20 percent. The additional questions to be added shall consist solely  
24 of questions developed in conjunction with the Department of  
25 Health concerning the use of alcohol or drugs as related to highway  
26 safety. The commission shall develop, in conjunction with the  
27 Department of Health, supplements to the driver's manual which  
28 shall include information necessary to answer any question on the  
29 driver's license examination concerning alcohol or drugs as related  
30 to highway safety.

31 Up to 20 questions may be added to the examination on subjects  
32 to be determined by the commission that are of particular relevance  
33 to youthful drivers, including the importance of operating a motor  
34 vehicle in a manner that safely shares the roadway with pedestrians,  
35 cyclists, skaters, riders of motorized-scooters, and other non-  
36 motorized vehicles, which shall include, but not be limited to,  
37 passing a cyclist on the roadway, recognizing bicycle lanes,  
38 navigating intersections with pedestrians and cyclists, and exiting a  
39 vehicle without endangering pedestrians and cyclists, and the  
40 dangers of driving a vehicle in an aggressive manner, which shall  
41 include, but not be limited to, unexpectedly altering the speed of a  
42 vehicle, making improper or erratic traffic lane changes,  
43 disregarding traffic control devices, failing to yield the right of way,  
44 and following another vehicle too closely, after consultation with  
45 the Director of the Division of Highway Traffic Safety in the  
46 Department of Law and Public Safety.



1 The commission shall expand the driver's license examination to  
2 include a question asking whether the applicant is aware of the  
3 provisions of the "Revised Uniform Anatomical Gift Act,"  
4 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on  
5 the driver's license the intention to make a donation of body organs  
6 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

7 The commission shall expand the driver's license examination to  
8 include a question asking whether the applicant is aware of the  
9 dangers of failing to comply with this State's motor vehicle traffic  
10 laws and the "STOP for Nikhil Safety Pledge" set forth in  
11 subsection e. of R.S.39:3-41.

12 The commission shall expand the driver's license examination to  
13 include questions concerning the dangers of carbon monoxide  
14 poisoning from motor vehicles and techniques for the safe operation  
15 and proper maintenance of a motor vehicle.

16 Any person applying for a driver's license to operate a motor  
17 vehicle or motorized bicycle in this State shall surrender to the  
18 commission any current driver's license issued to the applicant by  
19 another state or jurisdiction upon the applicant's receipt of a driver's  
20 license for this State. The commission shall refuse to issue a  
21 driver's license if the applicant fails to comply with this provision.

22 An applicant for a permit or license who is **less than** under 18  
23 years of age, and who holds a permit or license for a passenger  
24 automobile issued by another state or country that is valid or has  
25 expired within a time period designated by the commission, shall be  
26 subject to the permit and license requirements and penalties  
27 applicable to State permit and license applicants who are of the  
28 same age; except that if the other state or country has permit or  
29 license standards substantially similar to those of this State, the  
30 credentials of the other state or country shall be acceptable.

31 The commission shall create classified licensing of drivers  
32 covering the following classifications:

33 a. Motorcycles, except that for the purposes of this section,  
34 motorcycle shall not include any three-wheeled motor vehicle  
35 equipped with a single cab with glazing enclosing the occupant,  
36 seats similar to those of a passenger vehicle or truck, seat belts and  
37 automotive steering or any vehicle defined as a motorcycle pursuant  
38 to R.S.39:1-1 having a motor with a maximum piston displacement  
39 that is less than 50 cubic centimeters or a motor that is rated at no  
40 more than 1.5 brake horsepower with a maximum speed of no more  
41 than 35 miles per hour on a flat surface.

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

44 c. (Deleted by amendment, P.L.1999, c.28)

45 d. All motor vehicles not included in classifications a. and b. A  
46 license issued pursuant to this classification d. shall be referred to

1 as the "basic driver's license**【.】**" and may be issued as a standard  
2 basic driver's license or a REAL ID basic driver's license.

3 Every applicant for a license under classification b. shall be a  
4 holder of a basic driver's license. Any issuance of a license under  
5 classification b. shall be by endorsement on the person's basic  
6 driver's license.

7 A driver's license for motorcycles may be issued separately, but  
8 if issued to the holder of a basic driver's license, it shall be by  
9 endorsement on the person's basic driver's license. The holder of a  
10 basic driver's license or a separately issued motorcycle license shall  
11 be authorized to operate a motorcycle having a motor with a  
12 maximum piston displacement that is less than 50 cubic centimeters  
13 or a motor that is rated at no more than 1.5 brake horsepower with a  
14 maximum speed no more than 35 miles per hour on a flat surface.

15 The commission, upon payment of the lawful fee and after it or a  
16 person authorized by it has examined the applicant and is satisfied  
17 of the applicant's ability as an operator, may, in its discretion, issue  
18 a license to the applicant to drive a motor vehicle. The license shall  
19 authorize the person to drive any registered vehicle, of the kind or  
20 kinds indicated.

21 The license shall expire, except as otherwise provided, during the  
22 fourth calendar year following the date in which the license was  
23 issued and on the same calendar day as the person's date of birth. If  
24 the person's date of birth does not correspond to a calendar day of  
25 the fourth calendar year, the license shall expire on the last day of  
26 the person's birth month.

27 The commission may, at its discretion and for good cause shown,  
28 issue licenses **【which shall】** that expire on a date fixed by it. If the  
29 commission issues a REAL ID basic driver's license or REAL ID  
30 motorcycle license to a person who has demonstrated authorization  
31 to be present in the United States for a period of time shorter than  
32 the standard period of the license, the commission shall fix the  
33 expiration date of the license at a date based on the period in which  
34 the person is authorized to be present in the United States under  
35 federal immigration laws. The commission may renew the person's  
36 REAL ID basic driver's license or REAL ID motorcycle license  
37 only if it is demonstrated that the person's continued presence in the  
38 United States is authorized under federal law. The fee for licenses  
39 with expiration dates fixed by the commission shall be fixed by the  
40 commission in amounts proportionately less or greater than the fee  
41 herein established.

42 The required fee for a license for the license period shall be as  
43 follows, subject to adjustment pursuant to section 16 of P.L.2007,  
44 c.335 (C.39:2A-36.1):

45 **【Motorcycle】** Standard motorcycle license or endorsement:  
46 \$18.

47 REAL ID motorcycle license: \$29.

1 Omnibus or school bus endorsement: \$18.

2 **Basic** Standard basic driver's license: \$18.

3 REAL ID basic driver's license: \$29.

4 The commission shall waive the payment of fees for issuance of  
5 omnibus endorsements whenever an applicant establishes to the  
6 commission's satisfaction that the applicant will use the omnibus  
7 endorsement exclusively for operating omnibuses owned by a  
8 nonprofit organization duly incorporated under <sup>1</sup>**Title** Titles<sup>1</sup> 15  
9 or 16 of the Revised Statutes or Title 15A of the New Jersey  
10 Statutes.

11 The commission shall issue licenses for the following license  
12 period on and after the first day of the calendar month immediately  
13 preceding the commencement of the period, the licenses to be  
14 effective immediately.

15 All applications for renewals of licenses shall be made in a  
16 manner prescribed by the commission and in accordance with  
17 procedures established by it.

18 The commission in its discretion may refuse to grant a permit or  
19 license to drive motor vehicles to a person who is, in its estimation,  
20 not a proper person to be granted a permit or license, but a defect of  
21 the applicant shall not debar the applicant from receiving a permit  
22 or license unless it can be shown by tests approved by the  
23 commission that the defect incapacitates the applicant from safely  
24 operating a motor vehicle.

25 <sup>1</sup>A person issued a basic driver's license pursuant to this section  
26 may be issued a standard basic driver's license or a REAL ID basic  
27 driver's license. The chief administrator shall require an applicant  
28 for a standard basic driver's license to provide as proof of the  
29 applicant's identity, age, and residence primary and secondary  
30 documents, with which the chief administrator shall attribute point  
31 values in accordance with the point based identification verification  
32 program established pursuant to section 28 of P.L.2003, c.13  
33 (C.39:2A-28). The point total required to prove the identity of an  
34 applicant for the standard basic driver's license shall be the same  
35 for every applicant, regardless of immigration status. In the event  
36 that the commission changes the point total threshold, the  
37 requirement that every applicant reach the same point total  
38 threshold shall remain in effect.<sup>1</sup>

39 In addition to requiring an applicant for a driver's license to  
40 submit satisfactory proof of identity and age, the commission also  
41 shall require the applicant to provide~~.,~~:

42 (1) as a condition for obtaining a permit and standard basic  
43 driver's license, <sup>1</sup>~~two documents~~ proof of the person's social  
44 security number and one document<sup>1</sup> providing satisfactory proof  
45 that the applicant is a New Jersey resident <sup>1</sup>and proof of the

1 applicant's social security number <sup>1</sup>. If the person does not have a  
2 social security number, the person shall <sup>1</sup>either:

3 (a) provide satisfactory proof of an Individual Taxpayer  
4 Identification Number; or

5 (b)<sup>1</sup> indicate, in a manner prescribed by the commission <sup>1</sup>and  
6 consistent with all other provisions of P.L. , c. (C. )  
7 (pending before the Legislature as this bill)<sup>1</sup> , that the person is not  
8 eligible to receive a social security number; or

9 (2) as a condition for obtaining a REAL ID basic driver's  
10 license: two documents providing satisfactory proof that the  
11 applicant is a New Jersey resident; proof of the applicant's social  
12 security number or verification of ineligibility for a social security  
13 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
14 13, any acts amendatory or supplementary thereto, and any federal  
15 regulations adopted thereunder; and proof that the applicant's  
16 presence in the United States is authorized under federal law.

17 A standard basic driver's license shall indicate that the license  
18 shall not be accepted as identification for an official purpose, as that  
19 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
20 any acts amendatory or supplementary thereto, and any federal  
21 regulations adopted thereunder <sup>1</sup>, and shall bear a unique design or  
22 color to indicate that the license shall not be accepted for such  
23 official purpose <sup>1</sup>.

24 If the commission has reasonable cause to suspect that any  
25 document presented by an applicant [as proof of identity, age, or  
26 legal residency] pursuant to this section is altered, false, or  
27 otherwise invalid, the commission shall refuse to grant the permit or  
28 license until the time when the document may be verified by the  
29 issuing agency to the commission's satisfaction.

30 A person violating this section shall be subject to a fine not  
31 exceeding \$500 or imprisonment in the county jail for not more  
32 than 60 days, but if that person has never been licensed to drive in  
33 this State or any other jurisdiction, the applicant shall be subject to  
34 a fine of not less than \$200 and, in addition, the court shall issue an  
35 order to the commission requiring the commission to refuse to issue  
36 a license to operate a motor vehicle to the person for a period of not  
37 less than 180 days. The penalties provided for by this paragraph  
38 shall not be applicable in cases where failure to have actual  
39 possession of the operator's license is due to an administrative or  
40 technical error by the commission.

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

44 Any documents and personal information, including an  
45 applicant's photograph, obtained by the commission from an  
46 applicant for a standard basic driver's license or standard  
47 motorcycle license shall be confidential, shall not be considered a

1 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
2 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
3 access to government records, and shall not be disclosed by the  
4 commission for <sup>1</sup>the purpose of investigation, arrest, citation,  
5 prosecution, or detention related to an applicant's citizenship or  
6 immigration status] any purpose related to Title 8 of the United  
7 States Code<sup>1</sup> without the <sup>1</sup>informed<sup>1</sup> consent of the applicant <sup>1</sup>or  
8 without a valid<sup>1</sup> , a warrant signed by a State or federal judge, or a  
9 lawful<sup>1</sup> court order or subpoena; except that <sup>1</sup>the commission shall  
10 not be restricted, prohibited, or prevented from maintaining, or  
11 sending to or receiving from federal immigration authorities  
12 information regarding the citizenship or immigration status, lawful  
13 or unlawful, of any individual, pursuant to 8 U.S.C. s.1373 and 8  
14 U.S.C. s.1644. Any person that knowingly discloses any documents  
15 or personal information in violation of this section shall be guilty of  
16 a crime of the fourth degree.] nothing in this section shall be  
17 construed to prohibit, or in any way restrict, any action where such  
18 prohibition or restriction would be contrary to federal law. When  
19 responding to a warrant, court order, or subpoena, the commission  
20 may disclose only those records or information specifically  
21 requested in the warrant, court order, or subpoena.<sup>1</sup>

22 Possession of a standard basic driver's license or standard  
23 motorcycle license issued pursuant to this section shall not be  
24 considered evidence of an individual's citizenship or immigration  
25 status and shall not be used as a basis for an investigation, arrest,  
26 citation, prosecution, or detention.

27 <sup>1</sup>Information regarding an applicant's Individual Tax  
28 Identification Number, social security number, or ineligibility to  
29 receive a social security number obtained by the commission for the  
30 issuance of a standard motorcycle license or standard basic driver's  
31 license pursuant to this section, shall not be considered a  
32 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
33 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
34 access to government records, and shall not be disclosed by the  
35 commission except where: (1) required by section 11 of P.L.1998,  
36 c.1 (C.2A:17-56.60); (2) the applicant provides written informed  
37 consent to the disclosure; (3) the requesting entity presents a  
38 warrant signed by a State or federal judge, a lawful court order, or a  
39 subpoena; (4) required by State or federal law, and to the extent that  
40 the disclosure may be necessary to permit the State to participate in  
41 the National Driver Register program, as set forth in 49 U.S.C.  
42 s.30301 et seq.; or (5) the disclosure is in connection with an audit  
43 or investigation of identity fraud, driver's license fraud, or non-  
44 driver identification card fraud.<sup>1</sup>

45 As used in this section:

1 "Parking sensors" means proximity sensors which use either  
2 electromagnetic or ultrasonic technology and are designed to alert  
3 the driver to obstacles while parking.

4 "Rear visibility system" means devices or components installed  
5 on a motor vehicle at the time of manufacture that allow a forward  
6 facing driver to view a visual image of the area directly behind the  
7 vehicle.

8 (cf: P.L.2017, c.374, s.1)

9

10 <sup>1</sup>[3.] 9.<sup>1</sup> R.S.39:3-31 is amended to read as follows:

11 39:3-31. a. The chief administrator, upon presentation of a  
12 statement duly sworn to, stating that the original registration  
13 certificate or original motorized bicycle registration certificate has  
14 been destroyed, lost or stolen, may, if **[he]** the chief administrator  
15 is satisfied that the facts as set forth in the statement are  
16 substantially true, issue a duplicate or amended registration  
17 certificate or motorized bicycle registration certificate to the  
18 original holder thereof, upon the payment to the chief administrator  
19 of a fee of \$5 for each duplicate or amended registration certificate  
20 or motorized bicycle registration certificate so issued. The chief  
21 administrator, upon presentation of a statement, duly sworn to,  
22 stating that the original driver's license has been destroyed, lost or  
23 stolen, or requesting a new color **[picture]** photograph, may, if  
24 **[he]** the chief administrator is satisfied that the facts as set forth in  
25 the statement are substantially true, issue a duplicate driver's license  
26 to the original holder thereof, upon payment to the chief  
27 administrator of a fee of \$5 in addition to the digitized **[picture]**  
28 photograph fee. Notwithstanding any other provision of law to the  
29 contrary, the fee for a duplicate or amended registration certificate  
30 for any new passenger automobile required to be registered for a  
31 48-month term or for any new passenger automobile leased for a  
32 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

33 b. The chief administrator may waive the fee imposed for a  
34 duplicate license under subsection a. of this section if the applicant,  
35 at the time of application: is applying for a REAL ID license, as that  
36 term is defined in R.S.39:1-1; currently holds a valid license to  
37 operate a motor vehicle issued by the commission; and is not  
38 eligible to renew the applicant's current license. The chief  
39 administrator's authority to waive the duplicate license fee under  
40 this subsection shall expire on October 1, 2020. In order to receive  
41 a REAL ID license pursuant to this subsection, the applicant shall  
42 first surrender to the commission the applicant's current license to  
43 operate a motor vehicle.

44 (cf: P.L.2004, c.64, s.3)

45

46 <sup>1</sup>[4.] 10.<sup>1</sup> Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended  
47 to read as follows:

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 and a probationary  
3 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on  
4 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),  
5 each initial New Jersey license, each renewal of a New Jersey  
6 driver's license, and each probationary license shall have a digitized  
7 **【color picture】** photograph of the licensee. All licenses issued on  
8 and after January 1, 2000 shall be valid for a period of 48 calendar  
9 months. However, the chief administrator may, at the chief  
10 administrator's discretion, issue licenses and endorsements **【which】**  
11 that shall expire on a date fixed by the chief administrator. The fee  
12 for those licenses or endorsements shall be fixed in amounts  
13 proportionately less or greater than the fee otherwise established.  
14 Notwithstanding the provisions of this section to the contrary, a  
15 person 70 years of age or older may elect to have a license issued  
16 for a period of two or four years, which election shall not be altered  
17 by the chief administrator. The fee for the two-year standard  
18 license shall be \$9, in addition to the fee for a digitized **【picture】**  
19 photograph established in section 4 of P.L.2001, c.391 (C.39:3-  
20 10f4). The fee for a two-year REAL ID license shall be \$14.50, in  
21 addition to the fee for a digitized photograph established in section  
22 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may,  
23 for good cause, extend a license and any endorsement thereon  
24 beyond their expiration dates for periods not to exceed 12 additional  
25 months. The chief administrator may extend the expiration date of  
26 a license and any endorsement thereon without payment of a  
27 proportionate fee when the chief administrator determines that the  
28 extension is necessary for good cause. If any license and  
29 endorsements thereon are so extended, the licensee shall pay upon  
30 renewal the full license fee for the period fixed by the chief  
31 administrator as if no extension had been granted.

32       Each initial driver's license issued to a person under the age of  
33 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)  
34 shall be conspicuously distinct, through the use of color and design,  
35 from the driver's licenses issued to persons 21 years of age or older.  
36 The chief administrator, in consultation with the Superintendent of  
37 State Police, shall determine the color and the manner in which the  
38 license is designed to achieve this result. The license shall **【also】**  
39 bear the words "UNDER 21" in a conspicuous manner. The chief  
40 administrator shall provide that, upon attaining the age of 21, a  
41 licensee shall be issued a replacement driver's license or a new  
42 license, as appropriate. The fee for a replacement license shall be  
43 \$5 in addition to the digitized **【picture】** photograph fee.

44       As conditions for the renewal of a driver's license, the chief  
45 administrator shall provide that the **【picture】** photograph of a  
46 licensee be updated except that the chief administrator may elect to  
47 use a stored **【picture】** photograph to renew a license for a period

1 not exceeding four additional years for \$18 for a standard license  
2 and \$29 for a REAL ID license, in addition to the digitized  
3 **【picture】** photograph fee.

4 In addition to any other extension, the chief administrator shall  
5 allow a person to use a stored **【picture】** photograph to renew a  
6 license for a period not exceeding one year if the person presents  
7 documentation by a licensed physician that the person is undergoing  
8 medical treatment for an illness and the treatment results in  
9 temporary changes to the person's physical characteristics. The fee  
10 for this extension shall be \$18 for a standard license and \$29 for a  
11 REAL ID license and the person shall not be required to pay the  
12 digitized **【picture】** photograph fee pursuant to section 4 of  
13 P.L.2001, c.391 (C.39:3-10f4).

14 Whenever a person has reconstructive or cosmetic surgery which  
15 significantly alters the person's facial features, the person shall  
16 notify the chief administrator who may require the **【picture】**  
17 photograph of the licensee to be updated for \$5 in addition to the  
18 digitized **【picture】** photograph fee.

19 Nothing in this section shall be construed to alter or change any  
20 expiration date on any New Jersey driver's license issued prior to  
21 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,  
22 unless a licensee's driving privileges are otherwise suspended or  
23 revoked, except as provided in R.S.39:3-10, that license shall  
24 remain valid until that expiration date.

25 Specific use of the driver's license and any information stored or  
26 encoded, electronically or otherwise, in relation thereto shall be in  
27 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal  
28 “Driver's Privacy Protection Act of 1994,” Pub.L.103-322.  
29 Notwithstanding the provisions of any other law to the contrary, the  
30 digitized **【picture】** photograph or any access thereto or any use  
31 thereof shall not be sold, leased, or exchanged for value.

32 (cf: P.L.2015, c.306, s.1)

33

34 <sup>1</sup>**【5.】** 11.<sup>1</sup> Section 4 of P.L.2001, c.391 (C.39:3-10f4) is  
35 amended to read as follows:

36 4. The fee for a digitized **【picture】** photograph shall be \$6 for  
37 each license, renewal, or duplicate thereof, and shall be in addition  
38 to the fee presently authorized for the issuance of a driver's license  
39 pursuant to R.S.39:3-10.

40 (cf: P.L.2001, c.391, s.4)

41

42 <sup>1</sup>**【6.】** 12.<sup>1</sup> R.S.39:3-13 is amended to read as follows:

43 39:3-13. The chief administrator may, in the chief  
44 administrator's discretion, issue to a person over 17 years of age an  
45 examination permit, under the hand and seal of the chief  
46 administrator, allowing such person, for the purpose of fitting the



1 person to become a licensed driver, to operate a designated class of  
2 motor vehicles other than passenger automobiles and motorcycles  
3 for a specified period of not more than 90 days, while in the  
4 company and under the supervision of a driver licensed to operate  
5 such designated class of motor vehicles.

6 The chief administrator, in the chief administrator's discretion,  
7 may issue for a specified period of not less than one year a  
8 passenger automobile or motorcycle-only examination permit to a  
9 person over 17 years of age regardless of whether a person has  
10 completed a course of behind-the-wheel automobile driving  
11 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).  
12 An examination permit applicant who is under 18 years of age shall  
13 obtain the signature of a parent or guardian for submission to the  
14 commission on a form prescribed by the chief administrator. The  
15 chief administrator shall postpone for six months the driving  
16 privileges of any person who submits a fraudulent signature for a  
17 parent or guardian.

18 For six months immediately following the validation of an  
19 examination permit, and until the holder passes the road test, the  
20 holder who is less than 21 years of age shall operate the passenger  
21 automobile only when accompanied by, and under the supervision  
22 of, a New Jersey licensed driver who is at least 21 years of age and  
23 has been licensed to drive a passenger automobile for not less than  
24 three years. The holder of an examination permit who is at least 21  
25 years of age shall operate the passenger automobile for the first  
26 three months under such supervision and until the holder passes the  
27 road test. The supervising driver of the passenger automobile shall  
28 sit in the front seat of the vehicle. Whenever operating a vehicle  
29 while in possession of an examination permit, the holder of the  
30 permit shall operate the passenger automobile with only one  
31 additional passenger in the vehicle excluding dependents of the  
32 permit holder, except that this passenger restriction shall not apply  
33 when the permit holder is at least 21 years of age or when the  
34 permit holder is accompanied by a parent or guardian. Further, the  
35 holder of the passenger automobile permit who is less than 21 years  
36 of age shall not drive during the hours between 11:01 p.m. and 5  
37 a.m.; provided, however, that this condition may be waived for an  
38 emergency which, in the judgment of local police, is of sufficient  
39 severity and magnitude to substantially endanger the health, safety,  
40 welfare, or property of a person, or for any bona fide employment  
41 or religion-related activity if the employer or appropriate religious  
42 authority provides written verification of such activity in a manner  
43 provided for by the chief administrator. The holder of the  
44 examination permit shall not use any hand-held or hands-free  
45 interactive wireless communication device, except in an emergency,  
46 while operating a moving passenger automobile on a public road or  
47 highway. "Use" shall include, but not be limited to, talking or

1 listening on any hand-held or hands-free interactive wireless  
2 communication device or operating its keys, buttons, or other  
3 controls. The passenger automobile permit holder shall ensure that  
4 all occupants of the vehicle are secured in a properly adjusted and  
5 fastened seat belt or child restraint system.

6 The holder of an examination permit subject to the provisions of  
7 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a  
8 motorcycle at any time from a half-hour after sunset to a half-hour  
9 before sunrise. A motorcycle operated by the holder of an  
10 examination permit shall carry only the operator and shall not be  
11 operated on any toll road over which the New Jersey Turnpike  
12 Authority or the South Jersey Transportation Authority has  
13 jurisdiction or on any limited-access interstate highway.

14 The holder of any examination permit shall not operate a  
15 motorcycle having a motor with a maximum piston displacement  
16 that is less than 50 cubic centimeters or a motor that is rated at no  
17 more than 1.5 brake horsepower with a maximum speed of no more  
18 than 35 miles per hour on a flat surface at anytime from a half-hour  
19 after sunset to a half-hour before sunrise and shall not operate the  
20 motorcycle with any other passenger. The holder of any  
21 examination permit shall not operate such a motorcycle upon  
22 limited-access interstate highways or public roads or highways with  
23 a posted speed limit greater than 35 miles per hour.

24 An applicant for an examination permit subject to the provisions  
25 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18  
26 years of age, shall be required to successfully complete a  
27 motorcycle safety education course established pursuant to the  
28 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a  
29 condition for obtaining a motorcycle license or endorsement.

30 The chief administrator shall provide the holder of an  
31 examination permit with two removable, transferable, highly  
32 visible, reflective decals indicating that the driver of the vehicle  
33 may be the holder of an examination permit. The decals shall be  
34 designed by the chief administrator, in consultation with the  
35 Division of Highway Traffic Safety in the Department of Law and  
36 Public Safety. The chief administrator may charge a fee for the  
37 decals not to exceed the actual cost of producing and distributing  
38 the decals. The decals shall be displayed in a manner prescribed by  
39 the chief administrator, in consultation with the Division of  
40 Highway Traffic Safety in the Department of Law and Public  
41 Safety, and shall be clearly visible to law enforcement officers. The  
42 holder of an examination permit shall not operate a vehicle unless  
43 the decals are displayed. The decal shall be removed once the  
44 driver's examination permit period has ended.

45 When notified by a court of competent jurisdiction that an  
46 examination permit holder has been convicted of a violation which  
47 causes the permit holder to accumulate more than two motor vehicle

1 points or has been convicted of a violation of R.S.39:4-50; section 2  
2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189  
3 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
4 P.L.2017, c.165 (C.2C:11-5.3)**[,]**; subsection c. of N.J.S.2C:12-1;  
5 or any other motor vehicle-related law the chief administrator  
6 deems significant and applicable pursuant to regulation, in addition  
7 to any other penalty that may be imposed, the chief administrator  
8 shall, without the exercise of discretion or a hearing, suspend the  
9 examination permit holder's examination permit for 90 days. The  
10 chief administrator shall restore the permit following the term of the  
11 permit suspension if the permit holder satisfactorily completes a  
12 remedial training course of not less than four hours which may be  
13 given by the commission, a driving school licensed by the chief  
14 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),  
15 or any Statewide safety organization approved by the chief  
16 administrator. The course shall be subject to oversight by the  
17 commission according to its guidelines. The permit holder shall  
18 also remit a course fee prior to the commencement of the course.  
19 The chief administrator also shall postpone without the exercise of  
20 discretion or a hearing the issuance of a basic license for 90 days if  
21 the chief administrator is notified by a court of competent  
22 jurisdiction that the examination permit holder, after completion of  
23 the remedial training course, has been convicted of any motor  
24 vehicle violation which results in the imposition of any motor  
25 vehicle points or has been convicted of a violation of R.S.39:4-50;  
26 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
27 **[c.182]** c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5**[,]**;  
28 subsection c. of N.J.S.2C:12-1; or any other motor vehicle-related  
29 law the chief administrator deems significant and applicable  
30 pursuant to regulation. When the chief administrator is notified by  
31 a court of competent jurisdiction that an examination permit holder  
32 has been convicted of any alcohol or drug-related offense unrelated  
33 to the operation of a motor vehicle and is not otherwise subject to  
34 any other suspension penalty therefor, the chief administrator shall,  
35 without the exercise of discretion or a hearing, suspend the  
36 examination permit for six months.

37 An examination permit for a motorcycle or a commercial motor  
38 vehicle issued to a person with a disability, as determined by the  
39 New Jersey Motor Vehicle Commission after consultation with the  
40 Department of Education, shall be valid for nine months or until the  
41 completion of the road test portion of the license examination,  
42 whichever period is shorter.

43 Each permit shall be sufficient license for the person to operate  
44 such designated class of motor vehicles in this State during the  
45 period specified, while in the company of and under the control of a  
46 driver licensed by this State to operate such designated class of  
47 motor vehicles, or, in the case of a commercial driver license

1 permit, while in the company of and under the control of a holder of  
2 a valid commercial driver license for the appropriate license class  
3 and with the appropriate endorsements issued by this or any other  
4 state. Such person, as well as the licensed driver, except for a motor  
5 vehicle examiner administering a driving skills test, shall be held  
6 accountable for all violations of this subtitle committed by such  
7 person while in the presence of the licensed driver.

8 In addition to requiring an applicant for an examination permit to  
9 submit satisfactory proof of identity and age <sup>1</sup>in accordance with  
10 the type of license for which the applicant has applied<sup>1</sup>, the chief  
11 administrator also shall require the applicant to provide<sup>1</sup> **],** as a  
12 condition for obtaining the permit, **two]** the requisite number of<sup>1</sup>  
13 documents providing satisfactory proof that the **[**applicant's  
14 presence in the United States is authorized under federal law]  
15 applicant is a resident of the State <sup>1</sup>**].** An applicant for a  
16 commercial driver license permit shall submit satisfactory proof  
17 that the applicant's presence in the United States is authorized  
18 under federal law and proof of the applicant's social security  
19 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any  
20 acts amendatory or supplementary thereto, and any federal  
21 regulations adopted thereunder.] in accordance with the provisions  
22 of R.S.39:3-10.

23 Any documents and personal information, including an  
24 applicant's photograph, obtained by the commission from an  
25 applicant for a standard permit shall be confidential, shall not be  
26 considered a government record pursuant to P.L.1963, c.73  
27 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
28 common law concerning access to government records, and shall  
29 not be disclosed by the commission for any purposes related to Title  
30 8 of the United States Code without the informed consent of the  
31 applicant, a warrant signed by a State or federal judge, or a lawful  
32 court order or subpoena; except that nothing in this section shall be  
33 construed to prohibit, or in any way restrict, any action where such  
34 prohibition or restriction would be contrary to federal law. When  
35 responding to a warrant, court order, or subpoena, the commission  
36 may disclose only those records or information specifically  
37 requested in the warrant, court order, or subpoena.

38 Possession of a standard permit issued pursuant to this section  
39 shall not be considered evidence of an individual's citizenship or  
40 immigration status and shall not be used as a basis for an  
41 investigation, arrest, citation, prosecution, or detention.

42 Information regarding an applicant's Individual Tax  
43 Identification Number, social security number, or ineligibility to  
44 receive a social security number obtained by the commission for the  
45 issuance of a standard permit pursuant to this section, shall not be  
46 considered a government record pursuant to P.L.1963, c.73  
47 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the

1 common law concerning access to government records, and shall  
2 not be disclosed by the commission except where: (1) required by  
3 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant  
4 provides written informed consent to the disclosure; (3) the  
5 requesting entity presents a warrant signed by a State or federal  
6 judge, a lawful court order, or a subpoena; (4) required by State or  
7 federal law, and to the extent that the disclosure may be necessary  
8 to permit the State to participate in the National Driver Register  
9 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the  
10 disclosure is in connection with an audit or investigation of identity  
11 fraud, driver's license fraud, or non-driver identification card  
12 fraud.<sup>1</sup>

13 If the chief administrator has reasonable cause to suspect that  
14 any document presented by an applicant [as proof of identity, age,  
15 or legal residency] pursuant to this section is altered, false, or  
16 otherwise invalid, the chief administrator shall refuse to grant the  
17 permit until such time as the document may be verified by the  
18 issuing agency to the chief administrator's satisfaction.

19 <sup>1</sup>A person violating this section shall be subject to a fine not  
20 exceeding \$500 or imprisonment in the county jail for not more  
21 than 60 days, but if that person has never been licensed to drive in  
22 this State or any other jurisdiction, the applicant shall be subject to  
23 a fine of not less than \$200 and, in addition, the court shall issue an  
24 order to the commission requiring the commission to refuse to issue  
25 a license to operate a motor vehicle to the person for a period of not  
26 less than 180 days.<sup>1</sup>

27 The holder of an examination permit shall be required to take a  
28 road test in order to obtain a probationary license. No road test for  
29 any person who has been issued an examination permit to operate a  
30 passenger vehicle shall be given unless the person has met the  
31 requirements of this section. No road test for a probationary license  
32 shall be given unless the applicant has first secured an examination  
33 permit and no such road test shall be scheduled for an applicant  
34 who has secured an examination permit for a passenger vehicle or a  
35 motorcycle for which an endorsement is not required until at least  
36 six months for an applicant under 21 years of age or three months  
37 for an applicant 21 years of age or older shall have elapsed  
38 following the validation of the examination permit for practice  
39 driving or, in the case of an examination permit for other vehicles,  
40 until 20 days have elapsed. In the case of an omnibus endorsement  
41 or school bus, no road test shall be scheduled until at least 10 days  
42 shall have elapsed. Every applicant for an examination permit to  
43 qualify for an omnibus endorsement or an articulated vehicle  
44 endorsement shall be a holder of a valid basic driver's license.

45 The required fees for special learner's permits and examination  
46 permits shall be as follows:

47 Basic driver's license.....up to \$10

1 Motorcycle license or endorsement.....\$ 5

2 Omnibus or school bus endorsement.....\$25

3 The chief administrator shall waive the payment of fees for  
4 issuance of examination permits for omnibus endorsements  
5 whenever the applicant establishes to the chief administrator's  
6 satisfaction that said applicant will use the omnibus endorsement  
7 exclusively for operating omnibuses owned by a nonprofit  
8 organization duly incorporated under <sup>1</sup>**【Title】** Titles<sup>1</sup> 15 or 16 of  
9 the Revised Statutes or Title 15A of the New Jersey Statutes.

10 The specified period for which a permit is issued may be  
11 extended for not more than an additional 60 days, without payment  
12 of an added fee, upon application made by the holder thereof, where  
13 the holder has applied to take the examination for a driver's license  
14 prior to the expiration of the original period for which the permit  
15 was issued and the chief administrator was unable to schedule an  
16 examination during said period.

17 As a condition for the issuance of an examination permit under  
18 this section, the chief administrator shall secure a digitized  
19 **【picture】** photograph of the applicant. The **【picture】** photograph  
20 shall be stored in a manner prescribed by the chief administrator  
21 and may be displayed on the examination permit.

22 The chief administrator may require that whenever a person to  
23 whom an examination permit has been issued has reconstructive or  
24 cosmetic surgery which significantly alters the person's facial  
25 features, the person shall notify the chief administrator who may  
26 require the **【picture】** photograph of the person to be updated.

27 Specific use of the examination permit and any information  
28 stored or encoded, electronically or otherwise, in relation thereto  
29 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and  
30 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-  
31 322. Notwithstanding the provisions of any other law to the  
32 contrary, the digitized **【picture】** photograph or any access thereto or  
33 any use thereof shall not be sold, leased, or exchanged for value.

34 (cf: P.L.2017, c.165, s.11)

35

36 <sup>1</sup>**【7.】** 13.<sup>1</sup> Section 1 of P.L.1950, c.127 (C.39:3-13.1) is  
37 amended to read as follows:

38 1. The Chief Administrator of the New Jersey Motor Vehicle  
39 Commission may issue to a person over 16 years of age a special  
40 learner's permit, under the hand and seal of the chief administrator,  
41 allowing such person, for the purpose of preparing <sup>1</sup>**【himself】**<sup>1</sup> to  
42 qualify for a probationary license for a passenger automobile by  
43 operating a dual pedal controlled motor vehicle while taking a  
44 required course of behind-the-wheel automobile driving education  
45 approved by the State Department of Education and conducted in a  
46 public, parochial, or private school of this State or a course of  
47 behind-the-wheel automobile driving instruction conducted by a

1 drivers' school duly licensed pursuant to the provisions of P.L.1951,  
2 c.216 (C.39:12-1 et seq.). The special learner's permit shall be  
3 issued in lieu of the examination permit provided for in R.S.39:3-  
4 13.

5 In addition to requiring an applicant for a permit to submit  
6 satisfactory proof of identity and age <sup>1</sup>in accordance with the type  
7 of license for which the applicant has applied<sup>1</sup>, the chief  
8 administrator also shall require the applicant to provide <sup>1</sup>], as a  
9 condition for obtaining the permit, two] the requisite number of<sup>1</sup>  
10 documents providing satisfactory proof that the [applicant's  
11 presence in the United States is authorized under federal law]  
12 applicant is a resident of the State.

13 <sup>1</sup>Any documents and personal information, including an  
14 applicant's photograph, obtained by the commission from an  
15 applicant for a standard permit shall be confidential, shall not be  
16 considered a government record pursuant to P.L.1963, c.73  
17 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
18 common law concerning access to government records, and shall  
19 not be disclosed by the commission for any purpose related to Title  
20 8 of the United States Code without the informed consent of the  
21 applicant, a warrant signed by a State or federal judge, or a lawful  
22 court order or subpoena; except that nothing in this section shall be  
23 construed to prohibit, or in any way restrict, any action where such  
24 prohibition or restriction would be contrary to federal law. When  
25 responding to a warrant, court order, or subpoena, the commission  
26 may disclose only those records or information specifically  
27 requested in the warrant, court order, or subpoena.

28 Possession of a standard permit issued pursuant to this section  
29 shall not be considered evidence of an individual's citizenship or  
30 immigration status and shall not be used as a basis for an  
31 investigation, arrest, citation, prosecution, or detention.

32 Information regarding an applicant's Individual Tax  
33 Identification Number, social security number, or ineligibility to  
34 receive a social security number obtained by the commission for the  
35 issuance of a standard permit pursuant to this section, shall not be  
36 considered a government record pursuant to P.L.1963, c.73  
37 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
38 common law concerning access to government records, and shall  
39 not be disclosed by the commission except where: (1) required by  
40 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant  
41 provides written informed consent to the disclosure; (3) the  
42 requesting entity presents a warrant signed by a State or federal  
43 judge, a lawful court order, or a subpoena; (4) required by State or  
44 federal law, and to the extent that the disclosure may be necessary  
45 to permit the State to participate in the National Driver Register  
46 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the  
47 disclosure is in connection with an audit or investigation of identity

1 fraud, driver's license fraud, or non-driver identification card  
2 fraud.<sup>1</sup>

3 If the chief administrator has reasonable cause to suspect that  
4 any document presented by an applicant [as proof of identity, age  
5 or legal residency] pursuant to this section is altered, false or  
6 otherwise invalid, the chief administrator shall refuse to grant the  
7 permit until such time as the document may be verified by the  
8 issuing agency to the chief administrator's satisfaction.

9 <sup>1</sup>A person violating this section shall be subject to a fine not  
10 exceeding \$500 or imprisonment in the county jail for not more  
11 than 60 days, but if that person has never been licensed to drive in  
12 this State or any other jurisdiction, the applicant shall be subject to  
13 a fine of not less than \$200 and, in addition, the court shall issue an  
14 order to the commission requiring the commission to refuse to issue  
15 a license to operate a motor vehicle to the person for a period of not  
16 less than 180 days.<sup>1</sup>

17 The special learner's permit described above, when issued to a  
18 person taking a course of behind-the-wheel driving education  
19 conducted in a public, parochial, or private school, shall be retained  
20 in the office of the school principal at all times except during such  
21 time as the person to whom the permit is issued is undergoing  
22 behind-the-wheel automobile driving instruction. The chief  
23 administrator may make such rules and regulations as he may deem  
24 necessary to carry out the provisions of this section.

25 (cf: P.L.2009, c.38, s.7)

26

27 <sup>1</sup>**[8.] 14.**<sup>1</sup> Section 4 of P.L.1950, c.127 (C.39:3-13.4) is  
28 amended to read as follows:

29 4. a. The holder of a special learner's permit shall be entitled  
30 to a probationary driver's license (1) upon attaining the age of 17  
31 years, (2) upon the satisfactory completion of an approved behind-  
32 the-wheel driver training course as indicated upon the face of the  
33 special permit over the signature of the principal of the school or  
34 the person operating the driving school in which the course was  
35 conducted, (3) upon the completion of six months' driving  
36 experience with a validated special learner's permit in compliance  
37 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),  
38 and (4) upon passing the road test pursuant to R.S.39:3-10.

39 b. The holder of a probationary license shall be permitted to  
40 operate the passenger automobile with only one additional  
41 passenger in the vehicle besides any dependent of the probationary  
42 license holder, except that this passenger restriction shall not apply  
43 when the holder of the probationary license is at least 21 years of  
44 age or the probationary license holder is accompanied by a parent or  
45 guardian. Further, the holder of the probationary license who is  
46 under 21 years of age shall not drive during the hours between  
47 11:01 p.m. and 5 a.m.; provided however, that this condition may



1 be waived for an emergency which, in the judgment of local police,  
2 is of sufficient severity and magnitude to substantially endanger the  
3 health, safety, welfare, or property of a person or for any bona fide  
4 employment or religion-related activity if the employer or  
5 appropriate religious authority provides written verification of such  
6 activity in a manner provided for by the chief administrator.

7 c. The holder of the probationary license shall not use any  
8 hand-held or hands-free interactive wireless communication device,  
9 except in an emergency, while operating a moving passenger  
10 automobile on a public road or highway. "Use" shall include, but  
11 not be limited to, talking or listening on any hand-held or hands-  
12 free interactive wireless communication device or operating its  
13 keys, buttons, or other controls. In addition, the holder of the  
14 probationary license shall ensure that all occupants of the vehicle  
15 are secured in a properly adjusted and fastened seat belt or child  
16 restraint system.

17 d. In addition to any other penalties provided under law, the  
18 holder of a probationary license who accumulates more than two  
19 motor vehicle points or is convicted of a violation of R.S.39:4-50;  
20 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
21 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
22 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or  
23 any other motor vehicle law the chief administrator deems to be  
24 significant and applicable pursuant to regulation shall, for the first  
25 violation, be required to satisfactorily complete a remedial training  
26 course of not less than four hours which may be given by the  
27 commission, a driving school licensed by the chief administrator  
28 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any  
29 Statewide safety organization approved by the chief administrator.  
30 The course shall be administered pursuant to rules and regulations  
31 promulgated by the chief administrator and subject to oversight by  
32 the commission. The authority of the chief administrator to  
33 suspend, revoke, or deny issuance of an initial or renewal license to  
34 operate a driving school or an instructor's license, and to assess  
35 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to  
36 any violations related to the administration of a remedial training  
37 course. The license holder shall also remit a course fee prior to the  
38 commencement of the course.

39 e. When notified by a court of competent jurisdiction that a  
40 probationary license holder has been convicted of a second or  
41 subsequent violation, in addition to any other penalties provided  
42 under law, the chief administrator shall, without the exercise of  
43 discretion or a hearing, suspend the probationary license for three  
44 months, and shall postpone eligibility for a basic license for an  
45 equivalent period. In addition, when the chief administrator is  
46 notified by a court of competent jurisdiction that a probationary  
47 license holder has been convicted of any alcohol or drug-related

1 offense unrelated to the operation of a motor vehicle, and he is not  
2 otherwise subject to any other suspension penalty therefor, the chief  
3 administrator shall, without the exercise of discretion or a hearing,  
4 suspend the probationary license for six months.

5 f. The chief administrator shall provide the holder of a  
6 probationary license with two removable, transferable, highly  
7 visible, reflective decals indicating that the driver of the vehicle  
8 may be the holder of a probationary license. The decals shall be  
9 designed by the chief administrator, in consultation with the  
10 Division of Highway Traffic Safety in the Department of Law and  
11 Public Safety. The chief administrator may charge a fee for the  
12 decals not to exceed the actual cost of producing and distributing  
13 the decals. The decals shall be displayed in a manner prescribed by  
14 the chief administrator, in consultation with the Division of  
15 Highway Traffic Safety in the Department of Law and Public  
16 Safety, and shall be clearly visible to law enforcement officers. The  
17 holder of a probationary license shall not operate a vehicle unless  
18 the decals are displayed. The decal shall be removed once the  
19 driver's probationary license period has ended.

20 g. A probationary license may be sent by mail and shall be  
21 clearly identifiable and distinguishable in appearance from a basic  
22 license by any name, mark, color, or device deemed appropriate by  
23 the chief administrator.

24 h. A person issued a probationary license pursuant to this  
25 section may be issued a standard probationary license or a REAL  
26 ID probationary license. <sup>1</sup>The chief administrator shall require an  
27 applicant for a standard probationary license to provide as proof of  
28 the applicant's identity, age, and residence primary and secondary  
29 documents, with which the chief administrator shall attribute point  
30 values in accordance with the point based identification verification  
31 program established pursuant to section 28 of P.L.2003, c.13  
32 (C.39:2A-28). The point total required to prove the identity of an  
33 applicant for the standard probationary license shall be the same for  
34 every applicant, regardless of immigration status. In the event that  
35 the commission changes the point total threshold, the requirement  
36 that every applicant reach the same point total threshold shall  
37 remain in effect.<sup>1</sup>

38 In addition to requiring an applicant for a probationary license to  
39 submit satisfactory proof of identity and age, the chief administrator  
40 shall require the applicant to provide:

41 (1) as a condition for obtaining a standard probationary license,  
42 <sup>1</sup>[[two documents] proof of the applicants social security number  
43 and one document<sup>1</sup> providing satisfactory proof that the applicant is  
44 a New Jersey resident <sup>1</sup>[[and proof of the applicant's social security  
45 number]]<sup>1</sup>. If the applicant does not have a social security number,  
46 the applicant shall <sup>1</sup>either:

1 (a) provide satisfactory proof of an Individual Taxpayer  
2 Identification Number; or

3 (b)<sup>1</sup> indicate, in a manner prescribed by the commission <sup>1</sup>and  
4 consistent with all other provisions of P.L. , c. (C. )  
5 (pending before the Legislature as this bill)<sup>1</sup>, that the person is not  
6 eligible to receive a social security number; or

7 (2) as a condition for obtaining a REAL ID probationary  
8 license: two documents providing satisfactory proof that the  
9 applicant is a New Jersey resident; proof of the applicant's social  
10 security number or verification of ineligibility for a social security  
11 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
12 13, any acts amendatory or supplementary thereto, and any federal  
13 regulations adopted thereunder; and proof that the applicant's  
14 presence in the United States is authorized under federal law.

15 A standard probationary license shall indicate that the license  
16 shall not be accepted as identification for an official purpose, as that  
17 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
18 any acts amendatory or supplementary thereto, and any federal  
19 regulations adopted thereunder <sup>1</sup>], and shall bear a unique design or  
20 color to indicate that the license shall not be accepted for such  
21 official purpose.]<sup>1</sup>.

22 If the chief administrator has reasonable cause to suspect that  
23 any document presented by an applicant pursuant to this section is  
24 altered, false, or otherwise invalid, the chief administrator shall  
25 refuse to grant the probationary license until such time as the  
26 document may be verified by the issuing agency to the chief  
27 administrator's satisfaction.

28 <sup>1</sup>A person violating this section shall be subject to a fine not  
29 exceeding \$500 or imprisonment in the county jail for not more  
30 than 60 days, but if that person has never been licensed to drive in  
31 this State or any other jurisdiction, the applicant shall be subject to  
32 a fine of not less than \$200 and, in addition, the court shall issue an  
33 order to the commission requiring the commission to refuse to issue  
34 a license to operate a motor vehicle to the person for a period of not  
35 less than 180 days.<sup>1</sup>

36 i. Any documents and personal information, including an  
37 applicant's photograph, obtained by the commission from an  
38 applicant for a standard probationary license shall be confidential,  
39 shall not be considered a government record pursuant to P.L.1963,  
40 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
41 common law concerning access to government records, and shall  
42 not be disclosed by the commission for <sup>1</sup>[the purpose of  
43 investigation, arrest, citation, prosecution, or detention related to an  
44 applicant's citizenship or immigration status] any purpose related  
45 to Title 8 of the United States Code<sup>1</sup> without the <sup>1</sup>informed<sup>1</sup>  
46 consent of the applicant <sup>1</sup>[or without a valid] , a warrant signed by

1 a State or federal judge, or a lawful<sup>1</sup> court order or subpoena;  
2 except that <sup>1</sup>the commission shall not be restricted, prohibited, or  
3 prevented from maintaining, or sending to or receiving from federal  
4 immigration authorities information regarding the citizenship or  
5 immigration status, lawful or unlawful, of any individual, pursuant  
6 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly  
7 discloses any documents or personal information in violation of this  
8 section shall be guilty of a crime of the fourth degree. nothing in  
9 this section shall be construed to prohibit, or in any way restrict,  
10 any action where such prohibition or restriction would be contrary  
11 to federal law. When responding to a warrant, court order, or  
12 subpoena, the commission may disclose only those records or  
13 information specifically requested in the warrant, court order, or  
14 subpoena.

15 Possession of a standard probationary license issued pursuant to  
16 this section shall not be considered evidence of an individual's  
17 citizenship or immigration status and shall not be used as a basis for  
18 an investigation, arrest, citation, prosecution, or detention.

19 Information regarding an applicant's Individual Tax  
20 Identification Number, social security number, or ineligibility to  
21 receive a social security number obtained by the commission for the  
22 issuance of a standard probationary license pursuant to this section,  
23 shall not be considered a government record pursuant to P.L.1963,  
24 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
25 common law concerning access to government records, and shall  
26 not be disclosed by the commission except where: (1) required by  
27 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant  
28 provides written informed consent to the disclosure; (3) the  
29 requesting entity presents a warrant signed by a State or federal  
30 judge, a lawful court order, or a subpoena; (4) required by State or  
31 federal law, and to the extent that the disclosure may be necessary  
32 to permit the State to participate in the National Driver Register  
33 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the  
34 disclosure is in connection with an audit or investigation of identity  
35 fraud, driver's license fraud, or non-driver identification card  
36 fraud.<sup>1</sup>

37 (cf: P.L.2017, c.165, s.13)

38

39 <sup>1</sup>**[9.] 15.** <sup>1</sup> Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended  
40 to read as follows:

41 2. a. (1) The New Jersey Motor Vehicle Commission shall  
42 issue an identification card to any resident of the State who is 14  
43 years of age or older and who is not the holder of a valid permit or  
44 basic driver's license. The identification card shall attest to the true  
45 name, correct age, and veteran status, upon submission of  
46 satisfactory proof, by any veteran, and shall contain other  
47 identifying data as certified by the applicant for such identification

1 card. Every application for an identification card shall be signed  
2 and verified by the applicant and shall be accompanied by the  
3 written consent of at least one parent or the person's legal guardian  
4 if the person is under 17 years of age and shall be supported by such  
5 documentary evidence of the age, identity, and veteran status, or  
6 blindness, or disability of such person as the chief administrator  
7 may require.

8 <sup>1</sup>A person issued an identification card pursuant to this section  
9 may be issued a standard identification card or a REAL ID  
10 identification card. The chief administrator shall require any  
11 applicant for a standard identification card to provide as proof of  
12 the applicant's identity, age, and residence primary and secondary  
13 documents, with which the chief administrator shall attribute point  
14 values in accordance with the point based identification verification  
15 program established pursuant to section 28 of P.L.2003, c.13  
16 (C.39:2A-28). The point total required to prove the identity of an  
17 applicant for the standard probationary license shall be the same for  
18 every applicant, regardless of immigration status. In the event that  
19 the commission changes the point total threshold, the requirement  
20 that every applicant reach the same point total threshold shall  
21 remain in effect.<sup>1</sup>

22 In addition to requiring an applicant for an identification card to  
23 submit satisfactory proof of identity, age, and, if appropriate,  
24 veteran status, the chief administrator also shall require the  
25 applicant to provide~~[],~~:

26 (a) as a condition for obtaining ~~the~~ a standard identification  
27 card, <sup>1</sup>~~two documents~~ proof of the applicant's social security  
28 number and one document<sup>1</sup> providing satisfactory proof that the  
29 applicant is a New Jersey resident <sup>1</sup>~~and proof of the applicant's~~  
30 ~~social security number~~<sup>1</sup>. If the applicant does not have a social  
31 security number, the applicant shall <sup>1</sup>either:

32 (i) provide satisfactory proof of an Individual Taxpayer  
33 Identification Number; or

34 (ii)<sup>1</sup> indicate, in a manner prescribed by the commission <sup>1</sup>and  
35 consistent with all other provisions of P.L. ~~\_\_\_\_\_~~, c. ~~\_\_\_\_\_~~ (C. ~~\_\_\_\_\_~~)  
36 (pending before the Legislature as this bill)<sup>1</sup>, that the applicant is  
37 not eligible to receive a social security number; or

38 (b) as a condition for obtaining a REAL ID identification card:  
39 two documents providing satisfactory proof that the applicant is a  
40 New Jersey resident; proof of the applicant's social security number  
41 or verification of ineligibility for a social security number in  
42 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
43 acts amendatory or supplementary thereto, and any federal  
44 regulations adopted thereunder; and proof that the applicant's  
45 presence in the United States is authorized under federal law.

1 Any documents and personal information, including an  
2 applicant's photograph, obtained by the commission from an  
3 applicant for a standard identification card shall be confidential,  
4 shall not be considered a government record pursuant to P.L.1963,  
5 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
6 common law concerning access to government records, and shall  
7 not be disclosed by the commission for <sup>1</sup>the purpose of  
8 investigation, arrest, citation, prosecution, or detention related to an  
9 applicant's citizenship or immigration status <sup>1</sup>any purposes related  
10 to Title 8 of the United States Code <sup>1</sup>without the <sup>1</sup>informed <sup>1</sup>consent  
11 of the applicant <sup>1</sup>or without a valid <sup>1</sup>, a warrant signed by a State  
12 or federal judge, or a lawful <sup>1</sup>court order or subpoena; except that  
13 <sup>1</sup>the commission shall not be restricted, prohibited, or prevented  
14 from maintaining, or sending to or receiving from federal  
15 immigration authorities information regarding the citizenship or  
16 immigration status, lawful or unlawful, of any individual, pursuant  
17 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly  
18 discloses any documents or personal information in violation of this  
19 section shall be guilty of a crime of the fourth degree. <sup>1</sup>nothing in  
20 this section shall be construed to prohibit, or in any way restrict,  
21 any action where such prohibition or restriction would be contrary  
22 to federal law. When responding to a warrant, court order, or  
23 subpoena, the commission may disclose only those records or  
24 information specifically requested in the warrant, court order, or  
25 subpoena. <sup>1</sup>

26 Possession of a standard identification card issued pursuant to  
27 this section shall not be considered evidence of an individual's  
28 citizenship or immigration status and shall not be used as a basis for  
29 an investigation, arrest, citation, prosecution, or detention.

30 <sup>1</sup>Information regarding an applicant's Individual Tax  
31 Identification Number, social security number, or ineligibility to  
32 receive a social security number obtained by the commission for the  
33 issuance of a standard identification card pursuant to this section,  
34 shall not be considered a government record pursuant to P.L.1963,  
35 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
36 common law concerning access to government records, and shall  
37 not be disclosed by the commission except where: (1) required by  
38 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant  
39 provides written informed consent to the disclosure; (3) the  
40 requesting entity presents a warrant signed by a State or federal  
41 judge, a lawful court order, or a subpoena; (4) required by State or  
42 federal law, and to the extent that the disclosure may be necessary  
43 to permit the State to participate in the National Driver Register  
44 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the  
45 disclosure is in connection with an audit or investigation of identity

1 fraud, driver's license fraud, or non-driver identification card  
2 fraud.<sup>1</sup>

3 If the chief administrator has reasonable cause to suspect that  
4 any document presented by an applicant [as proof of identity, age,  
5 veteran status, or legal residency] pursuant to this section is altered,  
6 false or otherwise invalid, the chief administrator shall refuse to  
7 grant the identification card until such time as the document may be  
8 verified by the issuing agency to the chief administrator's  
9 satisfaction.

10 <sup>1</sup>A person violating this section shall be subject to a fine not  
11 exceeding \$500 or imprisonment in the county jail for not more  
12 than 60 days.<sup>1</sup>

13 (2) In addition to the requirements for the form and content of  
14 an identification card pursuant to this section, the Chief  
15 Administrator of the New Jersey Motor Vehicle Commission shall,  
16 upon submission of satisfactory proof, designate on an  
17 identification card that the card holder is a Gold Star Family  
18 member. The commission shall provide to the Department of  
19 Military and Veterans' Affairs personal identifying information for  
20 any person issued an identification card with a Gold Star Family  
21 designation pursuant to this section.

22 b. The designation of veteran status on an identification card  
23 shall not be deemed sufficient valid proof of veteran status for  
24 official governmental purposes when any other statute, or any  
25 regulation or other directive of a governmental entity, requires  
26 documentation of veteran status.

27 c. For the purpose of this section:

28 "Gold Star Family member" means a spouse, domestic partner,  
29 partner in a civil union, parent, brother, sister, child, legal guardian,  
30 or other legal custodian, whether of the whole or half blood or by  
31 adoption, of a member of the Armed Forces of the United States or  
32 National Guard, who lost his or her life while on active duty for the  
33 United States.

34 "REAL ID identification card" shall have the same meaning as  
35 provided in R.S.39:1-1.

36 "Veteran" means a person who has been honorably discharged  
37 from the active military service of the United States <sup>1</sup>or from  
38 service in the New Jersey National Guard<sup>1</sup>; and

39 "Satisfactory proof" means, in the case of a veteran, a copy of  
40 form <sup>1</sup>NGB-22,<sup>1</sup> DD-214 or federal activation orders showing  
41 service under Title 10, section 672 or section 12301, of the United  
42 States Code, or a county veteran identification card only if issuance  
43 of the card requires a copy of form DD-214 discharge papers or  
44 approved separation forms as outlined by all branches of the  
45 military and duly recorded by the county clerk's office. In the case  
46 of a Gold Star Family member, satisfactory proof includes any or  
47 all of the following:

1 (1) a certification from the Department of New Jersey of  
2 American Gold Star Mothers, Inc., or any other organization formed  
3 for the support of family members of members of the Armed Forces  
4 of the United States or National Guard, who lost their lives while on  
5 active duty for the United States, that the applicant is either the  
6 spouse, domestic partner, partner in a civil union, parent, brother,  
7 sister, child, legal guardian, or other legal custodian, whether of the  
8 whole or half blood or by adoption, of a member of the armed  
9 forces or National Guard who died while on active duty for the  
10 United States; or

11 (2) (a) documentation deemed acceptable by the Adjutant  
12 General, including, but not limited to, a federal DD Form 1300,  
13 Report of Casualty, or a federal DD Form 2064, Certificate of  
14 Death Overseas, which identifies the member of the Armed Forces  
15 of the United States or National Guard who died while on active  
16 duty for the United States; and

17 (b) documentation indicating the applicant's relationship to the  
18 service member.

19 (cf: P.L.2019, c.255, s.2)

20

21 <sup>1</sup>**[10.] 16.**<sup>1</sup> Section 3 of P.L.1980, c.47 (C.39:3-29.4) is  
22 amended to read as follows:

23 3. Every identification card authorized by section 2 of **[this**  
24 **act]** P.L.1980, c.47 (C.39:3-29.3) shall bear a color **[picture]**  
25 photograph of the person to whom it is issued and shall be issued  
26 upon the **[standard license]** form prescribed by the **[Division of**  
27 **Motor Vehicles]** New Jersey Motor Vehicle Commission for color  
28 **[picture]** photograph drivers' licenses, except that the card shall  
29 prominently contain the words "For Identification Only." A  
30 standard identification card shall indicate that the identification card  
31 shall not be accepted as identification for an official purpose, as that  
32 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
33 any acts amendatory or supplementary thereto, and any federal  
34 regulations adopted thereunder <sup>1</sup>**[, and shall bear a unique design or**  
35 **color to indicate that the identification card shall not be accepted for**  
36 **such official purpose]**<sup>1</sup>.

37 (cf: P.L.1999, c.28, s.7)

38

39 <sup>1</sup>**[11.] 17.**<sup>1</sup> Section 4 of P.L.1980, c.47 (C.39:3-29.5) is  
40 amended to read as follows:

41 4. a. Except as provided in subsection b. of this section, each  
42 original identification card authorized by section 2 of  
43 P.L.1980, c.47 (C.39:3-29.3) shall, unless canceled earlier or  
44 otherwise provided, expire during the fourth calendar year  
45 following its date of issuance and on the same calendar day as the  
46 person's date of birth. If the date of birth of the bearer of the



1 identification card does not correspond to a calendar day of the  
 2 fourth calendar year, the identification card shall expire on the last  
 3 day of the birth month of the bearer of the card.

4 The identification card shall be renewable upon the request of  
 5 the bearer of the card, pursuant to terms of license renewal  
 6 established by the New Jersey Motor Vehicle Commission, and  
 7 upon payment of a fee as required by section 6 of  
 8 P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant  
 9 to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind  
 10 or who has a disability shall be valid for the life of the holder unless  
 11 canceled by the holder. Cards issued prior to October 16, 1989 and  
 12 valid upon the effective date of P.L.1990, c.30 shall be valid for the  
 13 life of the holder unless canceled by the holder. Cards issued to  
 14 persons with blindness or disabilities between October 16, 1989 and  
 15 the effective date of P.L.1990, c.30, and which are valid on the  
 16 effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made  
 17 valid for the life of the holder unless canceled by the holder, upon  
 18 presentation of proof that the person's blindness or disability existed  
 19 at the time of the original application. The chief administrator is  
 20 authorized to require periodic verification of information included  
 21 on any identification card issued for or valid for the life of the  
 22 holder. Nothing in this section shall be construed to alter or change  
 23 any expiration date on any New Jersey identification card issued  
 24 prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.)  
 25 and any such identification card shall remain valid until its  
 26 expiration date.

27 b. If the chief administrator issues **[an]** a REAL ID  
 28 identification card to a person who has demonstrated authorization  
 29 to be present in the United States for a period of time shorter than  
 30 the standard periods of identification cards, the chief administrator  
 31 shall fix the expiration date of the REAL ID identification card at a  
 32 date based on the period in which the person is authorized to be  
 33 present in the United States under federal immigration laws. The  
 34 chief administrator may renew such **[an]** REAL ID identification  
 35 card only if it is demonstrated that the person's continued presence  
 36 in the United States is authorized under federal law.

37 (cf: P.L.2017, c.131, s.153)

38

39 <sup>1</sup>**[12.] 18.**<sup>1</sup> Section 6 of P.L.1980, c.47 (C.39:3-29.7) is  
 40 amended to read as follows:

41 6. a. The chief administrator shall charge fees as follows:

42	<u>Standard</u> Identification Card, Original	\$18
43	Identification Card, Duplicate	\$5
44	Identification Card, Renewal	\$18
45	<u>REAL ID</u> Identification Card	<u>\$29</u>
46	Digitized <b>[picture]</b> <u>photograph</u>	\$6, in addition
47		to the fees

1 required above  
2 b. The chief administrator may waive the fees established  
3 under subsection a. of this section for a homeless person who  
4 submits proof of temporary residence through a social worker or the  
5 coordinator of an emergency shelter for the homeless where the  
6 person is temporarily residing. For the purposes of this section,  
7 "homeless person" means a person without a domicile who is  
8 unable to secure permanent and stable housing as determined by a  
9 social worker or the coordinator of an emergency shelter for the  
10 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
11 seq.).

12 c. The chief administrator may waive the fee imposed for a  
13 duplicate identification card if the applicant, at the time of  
14 application: is applying for a REAL ID identification card, as that  
15 term is defined in R.S.39:1-1; currently holds a valid identification  
16 card issued by the commission; and is not eligible to renew the  
17 applicant's current identification card. The chief administrator's  
18 authority to waive the duplicate identification card fee under this  
19 subsection shall expire on October 1, 2020. In order to receive a  
20 REAL ID identification card pursuant to this subsection, the  
21 applicant shall first surrender to the commission the applicant's  
22 current identification card.

23 (cf: P.L.2016, c.99, s.1)  
24

25 <sup>1</sup>**[13.] 19.**<sup>1</sup> Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is  
26 amended to read as follows:

27 15. a. Insurers shall put in writing all underwriting rules  
28 applicable to each rate level utilized pursuant to section 14 of  
29 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account  
30 factors, including, but not limited to, driving record characteristics  
31 appropriate for underwriting and classification in formulating its  
32 underwriting rules; provided that no underwriting rule based on  
33 motor vehicle violations shall be formulated in such a manner as to  
34 assign any named insured to a rating tier other than the standard  
35 rating tier applicable to the insured's territory solely on the basis of  
36 accumulating four motor vehicle points or less. No underwriting  
37 rule shall operate in such a manner as to assign a risk to a rating  
38 plan on the basis of the territory in which the insured resides or any  
39 other factor which the commissioner finds is a surrogate for  
40 territory. No underwriting rule shall operate in such a manner as to  
41 assign a risk to a rating plan on the basis of an insured holding a  
42 standard motorcycle license or standard basic driver's license issued  
43 pursuant to R.S.39:3-10, or standard probationary license issued  
44 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer  
45 which knowingly fails to transact automobile insurance consistently  
46 with its underwriting rules shall be subject to a fine of not less than  
47 \$1,000 for each violation.

1 b. All underwriting rules applicable to each rate level as  
2 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall  
3 be filed with the commissioner and shall be subject to **his** the  
4 commissioner's prior approval. All underwriting rules shall be  
5 subject to public inspection. Except as provided in subsection d. of  
6 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their  
7 underwriting rules uniformly and without exception throughout the  
8 State, so that every applicant or insured conforming with the  
9 underwriting rules will be insured or renewed, and so that every  
10 applicant not conforming with the underwriting rules will be  
11 refused insurance.

12 c. An insurer with more than one rating plan for private  
13 passenger automobile insurance policies providing identical  
14 coverages shall not adopt underwriting rules which would permit a  
15 person to be insured for private passenger automobile insurance  
16 under more than one of the rating plans.

17 d. An insurer that revises its underwriting rules with respect to  
18 the assignment of insureds to rating tiers based on the number of  
19 accumulated motor vehicle points, as provided by subsection a. of  
20 this section, as amended by P.L.2003, c.89, shall certify to the  
21 commissioner that the revised rule will produce rates that are  
22 revenue neutral based upon the insurer's current coverages and book  
23 of business.

24 (cf: P.L.2003, c.89, s.40)

25

26 <sup>1</sup>**[14.] 20.**<sup>1</sup> Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended  
27 to read as follows:

28 2. Each application for a driver's license, or a renewal thereof,  
29 required by R.S.39:3-10 shall contain the street address of the place  
30 of residence **or business** of the licensee at the time of application  
31 or renewal. A post office box shall appear on a driver's license  
32 application only as part of a mailing address that is submitted by the  
33 licensee in addition to the street address of the licensee's residence  
34 **or business**; provided, however, the **director** chief  
35 administrator, upon application, shall permit a person who was a  
36 victim of a violation of **[N.J.S.2C:12-10]** section 1 of P.L.1992,  
37 c.209 (C.2C:12-10), N.J.S.2C:14-2, or **[N.J.S.2C:25-17 et seq.]**  
38 P.L.1991, c.261 (C.2C:25-17 et seq.), or who the **director** chief  
39 administrator otherwise determines to have good cause, to use as a  
40 mailing address a post office box, an address other than the  
41 applicant's address or other contact point. A licensee whose last  
42 address appears on the records of the **division** commission as a  
43 post office box shall change the address on the application for  
44 renewal to the street address of the licensee's residence **or**  
45 **business** and, if different from the street address, **his** the  
46 licensee's mailing address unless the **director** chief administrator

1 has determined, pursuant to this section, that the licensee may use a  
2 post office box, an address other than the licensee's address or other  
3 contact point as a mailing address.

4 (cf: P.L.1997, c.189, s.2)

5  
6 <sup>1</sup>21. (New section) The Chief Administrator of the New Jersey  
7 Motor Vehicle Commission shall permit a license or identification  
8 card holder to amend the notation on the person's license or  
9 identification card to reflect legal changes, in accordance with the  
10 provisions of section 1 of P.L.1984, c.191 (C.26:8-40.12).<sup>1</sup>

11  
12 <sup>1</sup>[15.] 22.<sup>1</sup> (New section) <sup>1</sup>a. A person or entity shall not  
13 discriminate against any person based upon the fact that the person  
14 applied for, was issued, holds, or presents a standard basic driver's  
15 license, standard motorcycle license, standard permit, standard  
16 probationary license, or standard identification card.<sup>1</sup>

17 The holder of a standard basic driver's license or standard  
18 motorcycle license issued pursuant to R.S.39:3-10, standard  
19 probationary license issued pursuant to section 4 of P.L.1950, c.127  
20 (C.39:3-13.4), and standard identification card issued pursuant to  
21 section 2 of P.L.1980, c.47 (C.39:3-29.3), shall have the  
22 opportunity to obtain employment and to obtain all the  
23 accommodations, advantages, facilities, and privileges of any place  
24 of public accommodation, publicly assisted housing accommodation  
25 in which the person meets all qualifications for receipt of the  
26 publicly assisted housing accommodation under State or federal  
27 law, and other real property without discrimination by reason of  
28 holding or presenting a standard basic driver's license, standard  
29 motorcycle license, standard probationary license, or standard  
30 identification card, subject only to conditions and limitations  
31 applicable alike to all persons.

32 Nothing in this section shall be construed to alter an employer's  
33 rights or obligations under 8 U.S.C. s.1324a regarding obtaining  
34 documentation evidencing identity and authorization for  
35 employment. <sup>1</sup>[An action taken by an employer that is required by  
36 8 U.S.C. s.1324a shall not constitute a violation of this section.]  
37 Any action that is required by federal or State law or regulation, or  
38 by government contract shall not constitute a violation of this  
39 section.

40 b. The provisions of this section shall also apply to the State,  
41 any political subdivision of the State, any agency or instrumentality  
42 of the State, and to any political subdivision of the State, and the  
43 employees, officers, or officials thereof, including law enforcement  
44 officers. Employees, officers, or officials, including law  
45 enforcement officers shall accept any standard basic driver's  
46 license, standard motorcycle license, standard permit, standard  
47 probationary license, or standard identification card, as proof of

1 identity, age, and State residency of its holder and shall not  
2 discriminate against an individual based upon the fact that the  
3 individual applied for, was issued, holds, or presents a standard  
4 basic driver's license, standard motorcycle license, standard permit,  
5 standard probationary license, or standard identification card.<sup>1</sup>

6  
7 <sup>1</sup>**[16.] 23.**<sup>1</sup> Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is  
8 amended to read as follows:

9 16. a. On and after the effective date of P.L.2007, c.335  
10 (C.39:2A-36.1 et al.), the board may, by regulation adopted  
11 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
12 (C.52:14B-1 et seq.), increase fees and surcharges collected  
13 pursuant to the following statutes, notwithstanding any law, rule, or  
14 regulation to the contrary:

15 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of  
16 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152  
17 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6  
18 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108  
19 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-  
20 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of  
21 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-  
22 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);  
23 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,  
24 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);  
25 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162  
26 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);  
27 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-  
28 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,  
29 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);  
30 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,  
31 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);  
32 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77  
33 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-  
34 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of  
35 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-  
36 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);  
37 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2  
38 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307  
39 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section  
40 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;  
41 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,  
42 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);  
43 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,  
44 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156  
45 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of  
46 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-  
47 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of

1 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-  
2 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of  
3 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-  
4 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;  
5 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-  
6 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;  
7 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,  
8 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

9 b. (1) In determining an appropriate increase of any fee or  
10 surcharge pursuant to subsection a. of this section, the board shall  
11 consider at least the following factors: (a) the year in which the fee  
12 or surcharge was last increased; (b) the actual costs to the State of  
13 New Jersey for administering any transaction, process, filing,  
14 registration, inspection, audit, or any license, permit, or other  
15 document issuance, for which the fee or surcharge is collected; and  
16 (c) the annual percentage increase in the Consumer Price Index or  
17 other similar relevant index.

18 No fee or surcharge set forth in this section shall be increased by  
19 regulation more than once during any five-year period, and no such  
20 fee or surcharge shall be increased beyond an amount that exceeds  
21 the actual costs to the State of New Jersey for administering any  
22 transaction, process, filing, registration, inspection, audit, or any  
23 license, permit, or other document issuance, for which the fee or  
24 surcharge is collected.

25 (2) All increases in a fee or surcharge after the first increase  
26 shall also be subject to the following limitation: the increase shall  
27 not exceed the cumulative annual percentage increase in the  
28 Consumer Price Index for the five fiscal years prior to the date of  
29 the proposed subsequent increase.

30 (3) All increases in fees or surcharges imposed by regulation  
31 proposed to be adopted in a calendar year shall be consolidated in  
32 one single regulatory proposal in that calendar year.

33 (4) As used in this section, the "Consumer Price Index" means  
34 the consumer price index for all urban consumers in the New York  
35 City and Philadelphia areas as reported by the Department of Labor  
36 or successor index.

37 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13  
38 (C.39:2A-36), 100 percent of the increased revenues collected from  
39 such increase shall be remitted to the commission.

40 (cf: P.L.2007, c.335, s.16)

41

42 <sup>1</sup>**[18.] 24.**<sup>1</sup> R.S.39:3-41 is amended to read as follows:

43 39:3-41. a. At the time of the issuance of an examination  
44 permit or a special learner's permit to operate a motor vehicle, the  
45 chief administrator shall make available to each applicant for the  
46 examination permit or special learner's permit a driver's manual

1 containing information required to be known and followed by  
2 licensed drivers relating to licensing requirements.

3 b. At the time of any required examination for renewal of a  
4 driver's license, the chief administrator shall upon request make  
5 available to each applicant for renewal a copy of the manual and  
6 any supplements thereto.

7 c. The driver's manual and any supplements thereto or any  
8 other booklet or writing prepared in connection with examinations  
9 for drivers' licenses or for renewals of drivers' licenses shall contain  
10 all information necessary to answer any question on an examination  
11 for a driver's license or for a renewal of a driver's license.

12 The chief administrator shall publish the driver's manual on the  
13 website of the commission in English and each of the three  
14 languages, other than English, most commonly spoken in the State,  
15 as determined by the chief administrator. The chief administrator  
16 shall periodically, and at least every five years, verify the three  
17 languages, other than English, most commonly spoken in the State.

18 d. The chief administrator, following consultation with the  
19 organ procurement organizations designated pursuant to 42 U.S.C.  
20 s.1320b-8 to serve in the State of New Jersey, shall include in the  
21 driver's manual information explaining the provisions of the  
22 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77  
23 et al.), the beneficial uses of donated organs and tissues, and the  
24 procedure for indicating on the driver's license the intention to  
25 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-  
26 12.2). The chief administrator may distribute all remaining copies  
27 of the existing driver's manual before reprinting the manual with the  
28 information required pursuant to this subsection.

29 e. The chief administrator, in consultation with the Nikhil  
30 Badlani Foundation, shall include in the driver's manual  
31 information explaining the dangers of failing to comply with this  
32 State's motor vehicle traffic laws and indicating that interested  
33 drivers may take the STOP for Nikhil Safety Pledge set forth in  
34 paragraph (1) of this subsection.

35 (1) The "STOP for Nikhil Safety Pledge" is as follows:

36 "In order to ensure the safety of others on the road, passengers in  
37 my car, and myself as a driver, I pledge to obey traffic laws while  
38 operating a motor vehicle, be extra cautious, and be attentive to  
39 traffic signs and signals and road conditions. Specifically:

40 I will come to a complete stop at every "stop" sign or red traffic  
41 light, and will not proceed through a red traffic light;

42 I will stay alert, keep two hands on the steering wheel whenever  
43 possible, and keep my mind on the road;

44 I will talk safely by using a hands-free wireless telephone while  
45 driving if I am of lawful age to do so and refrain from texting while  
46 driving; and I will plan ahead and leave enough time to arrive at my  
47 destination."

1 (2) The chief administrator shall ensure that drivers have the  
2 option of taking the pledge set forth in paragraph (1) of this  
3 subsection by filling out a standard form made available at motor  
4 vehicle offices or by following instructions publicized by the chief  
5 administrator directing interested drivers to the appropriate website  
6 to complete the pledge.

7 (3) The chief administrator may distribute all remaining copies  
8 of the existing driver's manual before reprinting the manual with the  
9 information required pursuant to this subsection.

10 f. The chief administrator, in consultation with the  
11 Commissioner of Health and the Director of the Division of  
12 Highway Traffic Safety in the Department of Law and Public  
13 Safety, shall include in the driver's manual information explaining  
14 the dangers of carbon monoxide poisoning from motor vehicles and  
15 techniques for the safe operation and proper maintenance of a motor  
16 vehicle. The chief administrator may distribute all remaining  
17 copies of any existing driver's manual before reprinting the manual  
18 with the information required pursuant to this subsection.

19 (cf: P.L.2016, c.81, s.3)

20

21 <sup>1</sup>**[19.] 25.**<sup>1</sup> (New section) The Chief Administrator of the New  
22 Jersey Motor Vehicle Commission, in consultation with the  
23 Attorney General, shall establish a public awareness campaign for  
24 the duration of 24 months following the effective date of  
25 P.L. , c. (C. ) (pending before the Legislature as this bill) to  
26 inform the general public about the availability of and the  
27 requirements to obtain a standard and REAL ID basic driver's  
28 license, motorcycle license, probationary license, and identification  
29 card.

30

31 <sup>1</sup>**[20.] 26.**<sup>1</sup> (New section) a. There is created an advisory board  
32 to be known as the "Standard and REAL ID Driver License and  
33 Identification Card Advisory Board."

34 b. The purpose of the advisory board shall be to review the  
35 implementation of the provisions of P.L. , c. (C. ) (pending  
36 before the Legislature as this bill) by the New Jersey Motor Vehicle  
37 Commission and the issuance of standard and REAL ID basic  
38 driver's licenses, motorcycle licenses, probationary licenses, and  
39 identification cards by the commission. The advisory board shall  
40 provide guidance to the commission concerning public awareness  
41 and education of the differences between standard and REAL ID  
42 basic driver's licenses, motorcycle licenses, probationary licenses,  
43 and identification cards and how to obtain standard and REAL ID  
44 basic driver's licenses, motorcycle licenses, probationary licenses,  
45 and identification cards.

46 c. The advisory board shall consist of 11 members as follows:



- 1 (1) the Chief Administrator of the New Jersey Motor Vehicle  
2 Commission, or the chief administrator's designee, who shall serve  
3 ex officio;
- 4 (2) the Governor's Chief Counsel, or the chief counsel's  
5 designee, who shall serve ex officio; and
- 6 (3) nine public members as follows:
- 7 (a) three members appointed by the Governor;
- 8 (b) three members appointed by the Governor upon the  
9 recommendation of the President of the Senate; and
- 10 (c) three members appointed by the Governor upon the  
11 recommendation of the Speaker of the General Assembly.
- 12 d. A vacancy in the membership of the advisory board shall be  
13 filled in the same manner provided for the original appointment.
- 14 e. The advisory board shall organize <sup>1</sup>as soon as practicable  
15 following the appointment of its members <sup>1</sup>within 90 days of the  
16 effective of P.L. , c. (C. ) (pending before the Legislature as  
17 this bill)<sup>1</sup>, and shall select a chairperson and vice-chairperson from  
18 among its members.
- 19 f. The public members of the advisory board shall serve  
20 without compensation, but may be reimbursed for necessary  
21 expenses incurred in the performance of their duties to the extent  
22 that such funds are made available for that purpose.
- 23 g. The New Jersey Motor Vehicle Commission shall provide  
24 staff support to the advisory board as may be necessary for its  
25 purposes. The advisory board shall be entitled to call to its  
26 assistance and avail itself of the services of the employees of any  
27 State, county, or municipal department, board, bureau, commission,  
28 or agency, as it may require and as may be available for its  
29 purposes.
- 30 h. No later than 12 months after the effective date of P.L. ,  
31 c. (C. ) (pending before the Legislature as this bill), the  
32 advisory board shall report to the Governor, and to the Legislature  
33 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its findings  
34 and recommendations. The advisory board shall terminate upon  
35 submission of the report.
- 36
- 37 <sup>1</sup>[21. This act] 27. a. Sections 1 through 24 and section 26<sup>1</sup>  
38 shall take effect on the first day of the thirteenth month after  
39 enactment, except that the Chief Administrator of the New Jersey  
40 Motor Vehicle Commission may take any anticipatory  
41 administrative action in advance as shall be necessary for the  
42 implementation of this act.
- 43 <sup>1</sup>b. Section 25 of this act shall take effect on the first day of the  
44 sixth month after enactment.
- 45 c.<sup>1</sup> Section <sup>1</sup>[20] 26<sup>1</sup> of this act shall expire upon submission of  
46 the advisory board's report required to be prepared and submitted  
47 pursuant to subsection h. of section <sup>1</sup>[20] 26<sup>1</sup> of this act.

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Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.

# ASSEMBLY, No. 4743

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblyman GARY S. SCHAER**

**District 36 (Bergen and Passaic)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblyman JOE DANIELSEN**

**District 17 (Middlesex and Somerset)**

**Co-Sponsored by:**

**Assemblywomen Jasey, Pinkin, Tucker, Jones, Pintor Marin, Assemblymen Chiaravalloti, Giblin, Assemblywomen Chaparro, Lampitt, McKnight, Jimenez, Assemblyman Mejia, Assemblywomen Lopez, Reynolds-Jackson, Speight, Carter, Assemblymen McKeon, Spearman, Kennedy, Assemblywomen Timberlake, Murphy, Assemblymen Caputo, Karabinchak, Wimberly, Calabrese, Assemblywoman Sumter and Assemblyman Zwicker**

**SYNOPSIS**

Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.

**CURRENT VERSION OF TEXT**

As introduced.

(Sponsorship Updated As Of: 12/6/2019)

1 AN ACT concerning documents, driver's licenses, and non-driver  
2 identification cards provided by the New Jersey Motor Vehicle  
3 Commission, amending various parts of the statutory law, and  
4 supplementing Title 39 of the Revised Statutes.

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

8  
9 1. R.S.39:1-1 is amended to read as follows:

10 39:1-1. As used in this subtitle, unless other meaning is clearly  
11 apparent from the language or context, or unless inconsistent with  
12 the manifest intention of the Legislature:

13 "Alley" means a public highway wherein the roadway does not  
14 exceed 12 feet in width.

15 "Authorized emergency vehicles" means vehicles of the fire  
16 department, police vehicles and such ambulances and other vehicles  
17 as are approved by the chief administrator when operated in  
18 response to an emergency call.

19 "Autocycle" means a three-wheeled motorcycle designed to be  
20 controlled with a steering wheel and pedals in which the operator  
21 and passenger may ride in a completely or partially enclosed seating  
22 area that is equipped with a roll cage or roll hoops, safety seat belts  
23 for each occupant, and anti-lock brakes.

24 "Automobile" includes all motor vehicles except motorcycles.

25 "Berm" means that portion of the highway exclusive of roadway  
26 and shoulder, bordering the shoulder but not to be used for  
27 vehicular travel.

28 "Business district" means that portion of a highway and the  
29 territory contiguous thereto, where within any 600 feet along such  
30 highway there are buildings in use for business or industrial  
31 purposes, including but not limited to hotels, banks, office  
32 buildings, railroad stations, and public buildings which occupy at  
33 least 300 feet of frontage on one side or 300 feet collectively on  
34 both sides of the roadway.

35 "Car pool" means two or more persons commuting on a daily  
36 basis to and from work by means of a vehicle with a seating  
37 capacity of nine passengers or less.

38 "Chief Administrator" or "Administrator" means the Chief  
39 Administrator of the New Jersey Motor Vehicle Commission.

40 "Commercial motor vehicle" includes every type of motor-driven  
41 vehicle used for commercial purposes on the highways, such as the  
42 transportation of goods, wares and merchandise, excepting such  
43 vehicles as are run only upon rails or tracks and vehicles of the  
44 passenger car type used for touring purposes or the carrying of farm  
45 products and milk, as the case may be.

**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 "Commission" means the New Jersey Motor Vehicle  
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-  
3 4).

4 "Commissioner" means the Commissioner of Transportation of  
5 this State.

6 "Commuter van" means a motor vehicle having a seating  
7 capacity of not less than seven nor more than 15 adult passengers,  
8 in which seven or more persons commute on a daily basis to and  
9 from work and which vehicle may also be operated by the driver or  
10 other designated persons for their personal use.

11 "Crosswalk" means that part of a highway at an intersection,  
12 either marked or unmarked existing at each approach of every  
13 roadway intersection, included within the connections of the lateral  
14 lines of the sidewalks on opposite sides of the highway measured  
15 from the curbs or, in the absence of curbs, from the edges of the  
16 shoulder, or, if none, from the edges of the roadway; also, any  
17 portion of a highway at an intersection or elsewhere distinctly  
18 indicated for pedestrian crossing by lines or other marking on the  
19 surface.

20 "Curb extension" or "bulbout" means a horizontal extension of  
21 the sidewalk into the street which results in a narrower roadway  
22 section.

23 "Dealer" includes every person actively engaged in the business  
24 of buying, selling or exchanging motor vehicles or motorcycles and  
25 who has an established place of business.

26 "Deputy Chief Administrator" means the deputy chief  
27 administrator of the commission.

28 "Driver" means the rider or driver of a horse, bicycle or  
29 motorcycle or the driver or operator of a motor vehicle, unless  
30 otherwise specified.

31 "Explosives" means any chemical compound or mechanical  
32 mixture that is commonly used or intended for the purpose of  
33 producing an explosion and which contains any oxidizing and  
34 combustive units or other ingredients in such proportions, quantities  
35 or packing that an ignition by fire, friction, by concussion, by  
36 percussion, or by detonator of any part of the compound or mixture  
37 may cause such a sudden generation of highly heated gases that the  
38 resultant gaseous pressures are capable of producing destructive  
39 effects on contiguous objects or of destroying life or limb.

40 "Farm tractor" means every motor vehicle designed and used  
41 primarily as a farm implement for drawing plows, mowing  
42 machines, and other implements of husbandry.

43 "Flammable liquid" means any liquid having a flash point below  
44 200 degrees Fahrenheit, and a vapor pressure not exceeding 40  
45 pounds.

46 "Gross weight" means the combined weight of a vehicle and a  
47 load thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is  
2 used to transport two or more persons and shall include public  
3 transportation, car pool, van pool, and other vehicles as determined  
4 by regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of  
6 every way publicly maintained when any part thereof is open to the  
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as  
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the  
11 roadway.

12 "Intersection" means the area embraced within the prolongation  
13 of the lateral curb lines or, if none, the lateral boundary lines of two  
14 or more highways which join one another at an angle, whether or  
15 not one such highway crosses another.

16 "Laned roadway" means a roadway which is divided into two or  
17 more clearly marked lanes for vehicular traffic.

18 "Leased limousine" means any limousine subject to regulation in  
19 the State which:

20 a. Is offered for rental or lease, without a driver, to be operated  
21 by a limousine service as the lessee, for the purpose of carrying  
22 passengers for hire; and

23 b. Is leased or rented for a period of one year or more  
24 following registration.

25 "Leased motor vehicle" means any motor vehicle subject to  
26 registration in this State which:

27 a. Is offered for rental or lease, without a driver, to be operated  
28 by the lessee, his agent or servant, for purposes other than the  
29 transportation of passengers for hire; and

30 b. Is leased or rented for a period of one year or more  
31 following registration.

32 "Limited-access highway" means every highway, street, or  
33 roadway in respect to which owners or occupants of abutting lands  
34 and other persons have no legal right of access to or from the same  
35 except at such points only and in such manner as may be  
36 determined by the public authority having jurisdiction over such  
37 highway, street, or roadway; and includes any highway designated  
38 as a "freeway" or "parkway" by authority of law.

39 "Local authorities" means every county, municipal and other  
40 local board or body having authority to adopt local police  
41 regulations under the Constitution and laws of this State, including  
42 every county governing body with relation to county roads.

43 "Low-speed vehicle" means a four-wheeled low-speed vehicle,  
44 as defined in 49 [CFR] C.F.R. s.571.3(b), whose attainable speed is  
45 more than 20 miles per hour but not more than 25 miles per hour on  
46 a paved level surface and which is not powered by gasoline or

1 diesel fuel and complies with federal safety standards as set forth in  
2 49 [CFR] C.F.R. s.571.500.

3 "Magistrate" means any municipal court and the Superior Court,  
4 and any officer having the powers of a committing magistrate and  
5 the chief administrator.

6 "Manufacturer" means a person engaged in the business of  
7 manufacturing or assembling motor vehicles, who will, under  
8 normal business conditions during the year, manufacture or  
9 assemble at least 10 new motor vehicles.

10 "Metal tire" means every tire the surface of which in contact with  
11 the highway is wholly or partly of metal or other hard nonresilient  
12 material.

13 "Mid-block crosswalk" means a crosswalk located away from an  
14 intersection, distinctly indicated by lines or markings on the  
15 surface.

16 "Motorized bicycle" means a pedal bicycle having a helper motor  
17 characterized in that either the maximum piston displacement is less  
18 than 50 cc. or said motor is rated at no more than 1.5 brake  
19 horsepower or is powered by an electric drive motor and said  
20 bicycle is capable of a maximum speed of no more than 25 miles  
21 per hour on a flat surface.

22 "Motorcycle" includes motorcycles, autocycles, motor bikes,  
23 bicycles with motor attached and all motor-operated vehicles of the  
24 bicycle or tricycle type, except motorized bicycles as defined in this  
25 section, whether the motive power be a part thereof or attached  
26 thereto and having a saddle or seat with driver sitting astride or  
27 upon it or a platform on which the driver stands.

28 "Motor-drawn vehicle" includes trailers, semitrailers, or any  
29 other type of vehicle drawn by a motor-driven vehicle.

30 "Motor vehicle" includes all vehicles propelled otherwise than by  
31 muscular power, excepting such vehicles as run only upon rails or  
32 tracks and motorized bicycles.

33 "Motorized scooter" means a miniature motor vehicle and  
34 includes, but is not limited to, pocket bikes, super pocket bikes,  
35 scooters, mini-scooters, sport scooters, mini choppers, mini  
36 motorcycles, motorized skateboards and other vehicles with motors  
37 not manufactured in compliance with Federal Motor Vehicle Safety  
38 Standards and which have no permanent Federal Safety  
39 Certification stickers affixed to the vehicle by the original  
40 manufacturer. This term shall not include: electric personal  
41 assistive mobility devices, motorized bicycles or low-speed  
42 vehicles; or motorized wheelchairs, mobility scooters or similar  
43 mobility assisting devices used by persons with physical  
44 disabilities, or persons whose ambulatory mobility has been  
45 impaired by age or illness.

46 "Motorized skateboard" means a skateboard that is propelled  
47 otherwise than by muscular power.

1 "Motorized wheelchair" means any motor-driven wheelchair  
2 utilized to increase the independent mobility, in the activities of  
3 daily living, of an individual who has limited or no ambulation  
4 abilities, and includes mobility scooters manufactured specifically  
5 for such purposes and designed primarily for indoor use.

6 "Noncommercial truck" means every motor vehicle designed  
7 primarily for transportation of property, and which is not a  
8 "commercial vehicle."

9 "Official traffic control devices" means all signs, signals,  
10 markings, and devices not inconsistent with this subtitle placed or  
11 erected by authority of a public body or official having jurisdiction  
12 for the purpose of regulating, warning, or guiding traffic.

13 "Omnibus" includes all motor vehicles used for the  
14 transportation of passengers for hire, except commuter vans and  
15 vehicles used in ridesharing arrangements and school buses, if the  
16 same are not otherwise used in the transportation of passengers for  
17 hire.

18 "Operator" means a person who is in actual physical control of a  
19 vehicle or street car.

20 "Outside lane" means the lane nearest the curb or outer edge of  
21 the roadway.

22 "Owner" means a person who holds the legal title of a vehicle, or  
23 if a vehicle is the subject of an agreement for the conditional sale or  
24 lease thereof with the right of purchase upon performance of the  
25 conditions stated in the agreement and with an immediate right of  
26 possession vested in the conditional vendee or lessee, or if a  
27 mortgagor of a vehicle is entitled to possession, then the conditional  
28 vendee, lessee or mortgagor shall be deemed the owner for the  
29 purpose of this subtitle.

30 "Parking" means the standing or waiting on a street, road or  
31 highway of a vehicle not actually engaged in receiving or  
32 discharging passengers or merchandise, unless in obedience to  
33 traffic regulations or traffic signs or signals.

34 "Passenger automobile" means all automobiles used and  
35 designed for the transportation of passengers, other than omnibuses  
36 and school buses.

37 "Pedestrian" means a person afoot.

38 "Person" includes natural persons, firms, copartnerships,  
39 associations, and corporations.

40 "Pneumatic tire" means every tire in which compressed air is  
41 designed to support the load.

42 "Pole trailer" means every vehicle without motive power  
43 designed to be drawn by another vehicle and attached to the towing  
44 vehicle by means of a reach, or pole, or by being boomed or  
45 otherwise secured to the towing vehicle, and ordinarily used for  
46 transporting long or irregularly shaped loads, such as poles, pipes,



1 or structural members capable, generally, of sustaining themselves  
2 as beams between the supporting connections.

3 "Private road or driveway" means every road or driveway not  
4 open to the use of the public for purposes of vehicular travel.

5 "Railroad train" means a steam engine, electric or other motor,  
6 with or without cars coupled thereto, operated upon rails, except  
7 street cars.

8 "REAL ID basic driver's license" means a basic driver's license  
9 issued by the commission that complies with the provisions of the  
10 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
11 supplementary thereto, and any federal regulations adopted  
12 thereunder.

13 "REAL ID identification card" means an identification card  
14 issued by the commission that complies with the provisions of the  
15 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
16 supplementary thereto, and any federal regulations adopted  
17 thereunder.

18 "REAL ID license" means any license to operate a motor vehicle  
19 issued by the commission that complies with the provisions of the  
20 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
21 supplementary thereto, and any federal regulations adopted  
22 thereunder.

23 "REAL ID motorcycle license" means a motorcycle license  
24 issued by the commission that complies with the provisions of the  
25 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or  
26 supplementary thereto, and any federal regulations adopted  
27 thereunder.

28 "REAL ID probationary license" means a probationary license  
29 issued by the commission that complies with the provisions of the  
30 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or  
31 supplementary thereto, and any federal regulations adopted  
32 thereunder.

33 "Recreation vehicle" means a self-propelled or towed vehicle  
34 equipped to serve as temporary living quarters for recreational,  
35 camping or travel purposes and used solely as a family or personal  
36 conveyance.

37 "Residence district" means that portion of a highway and the  
38 territory contiguous thereto, not comprising a business district,  
39 where within any 600 feet along such highway there are buildings  
40 in use for business or residential purposes which occupy 300 feet or  
41 more of frontage on at least one side of the highway.

42 "Ridesharing" means the transportation of persons in a motor  
43 vehicle, with a maximum carrying capacity of not more than 15  
44 passengers, including the driver, where such transportation is  
45 incidental to the purpose of the driver. The term shall include such  
46 ridesharing arrangements known as car pools and van pools.

1 "Right-of-way" means the privilege of the immediate use of the  
2 highway.

3 "Road tractor" means every motor vehicle designed and used for  
4 drawing other vehicles and not so constructed as to carry any load  
5 thereon either independently or any part of the weight of a vehicle  
6 or load so drawn.

7 "Roadway" means that portion of a highway improved, designed,  
8 or ordinarily used for vehicular travel, exclusive of the berm or  
9 shoulder. In the event a highway includes two or more separate  
10 roadways, the term "roadway" as used herein shall refer to any such  
11 roadway separately, but not to all such roadways, collectively.

12 "Safety zone" means the area or space officially set aside within  
13 a highway for the exclusive use of pedestrians, which is so plainly  
14 marked or indicated by proper signs as to be plainly visible at all  
15 times while set apart as a safety zone.

16 "School bus" means every motor vehicle operated by, or under  
17 contract with, a public or governmental agency, or religious or other  
18 charitable organization or corporation, or privately operated for the  
19 transportation of children to or from school for secular or religious  
20 education, which complies with the regulations of the New Jersey  
21 Motor Vehicle Commission affecting school buses, including  
22 "School Vehicle Type I" and "School Vehicle Type II" as defined  
23 below:

24 "School Vehicle Type I" means any vehicle designed to transport  
25 16 or more passengers, including the driver, used to transport  
26 enrolled children, and adults only when serving as chaperones, to or  
27 from a school, school connected activity, day camp, summer day  
28 camp, summer residence camp, nursery school, child care center,  
29 preschool center or other similar places of education. Such vehicle  
30 shall comply with the regulations of the New Jersey Motor Vehicle  
31 Commission and either the Department of Education or the  
32 Department of Human Services, whichever is the appropriate  
33 supervising agency.

34 "School Vehicle Type II" means any vehicle designed to  
35 transport less than 16 passengers, including the driver, used to  
36 transport enrolled children, and adults only when serving as  
37 chaperones, to or from a school, school connected activity, day  
38 camp, summer day camp, summer residence camp, nursery school,  
39 child care center, preschool center or other similar places of  
40 education. Such vehicle shall comply with the regulations of the  
41 New Jersey Motor Vehicle Commission and either the Department  
42 of Education or the Department of Human Services, whichever is  
43 the appropriate supervising agency.

44 "School zone" means that portion of a highway which is either  
45 contiguous to territory occupied by a school building or is where  
46 school crossings are established in the vicinity of a school, upon  
47 which are maintained appropriate "school signs" in accordance with

1 specifications adopted by the chief administrator and in accordance  
2 with law.

3 "School crossing" means that portion of a highway where school  
4 children are required to cross the highway in the vicinity of a  
5 school.

6 "Semitrailer" means every vehicle with or without motive power,  
7 other than a pole trailer, designed for carrying persons or property  
8 and for being drawn by a motor vehicle and so constructed that  
9 some part of its weight and that of its load rests upon or is carried  
10 by another vehicle.

11 "Shipper" means any person who shall deliver, or cause to be  
12 delivered, any commodity, produce or article for transportation as  
13 the contents or load of a commercial motor vehicle. In the case of a  
14 sealed ocean container, "shipper" shall not be construed to include  
15 any person whose activities with respect to the shipment are limited  
16 to the solicitation or negotiation of the sale, resale, or exchange of  
17 the commodity, produce or article within that container.

18 "Shoulder" means that portion of the highway, exclusive of and  
19 bordering the roadway, designed for emergency use but not  
20 ordinarily to be used for vehicular travel.

21 "Sidewalk" means that portion of a highway intended for the use  
22 of pedestrians, between the curb line or the lateral line of a  
23 shoulder, or if none, the lateral line of the roadway and the adjacent  
24 right-of-way line.

25 "Sign." See "Official traffic control devices."

26 "Slow-moving vehicle" means a vehicle run at a speed less than  
27 the maximum speed then and there permissible.

28 "Solid tire" means every tire of rubber or other resilient material  
29 which does not depend upon compressed air for the support of the  
30 load.

31 "Standard" means, when used to describe any license to operate  
32 a motor vehicle or any identification card issued by the commission  
33 under the provisions of this Title, that the issuance of the license or  
34 identification card does not require proof of lawful presence in the  
35 United States.

36 "Street" means the same as highway.

37 "Street car" means a car other than a railroad train, for  
38 transporting persons or property and operated upon rails principally  
39 within a municipality.

40 "Stop," when required, means complete cessation from  
41 movement.

42 "Stopping or standing," when prohibited, means any cessation of  
43 movement of a vehicle, whether occupied or not, except when  
44 necessary to avoid conflict with other traffic or in compliance with  
45 the directions of a police officer or traffic control sign or signal.

46 "Suburban business or residential district" means that portion of  
47 highway and the territory contiguous thereto, where within any

1 1,320 feet along that highway there is land in use for business or  
2 residential purposes and that land occupies more than 660 feet of  
3 frontage on one side or collectively more than 660 feet of frontage  
4 on both sides of that roadway.

5 "Through highway" means every highway or portion thereof at  
6 the entrances to which vehicular traffic from intersecting highways  
7 is required by law to stop before entering or crossing the same and  
8 when stop signs are erected as provided in this chapter.

9 "Trackless trolley" means every motor vehicle which is propelled  
10 by electric power obtained from overhead trolley wires but not  
11 operated upon rails.

12 "Traffic" means pedestrians, ridden or herded animals, vehicles,  
13 street cars, and other conveyances either singly, or together, while  
14 using any highway for purposes of travel.

15 "Traffic control signal" means a device, whether manually,  
16 electrically, mechanically, or otherwise controlled, by which traffic  
17 is alternately directed to stop and to proceed.

18 "Trailer" means every vehicle with or without motive power,  
19 other than a pole trailer, designed for carrying persons or property  
20 and for being drawn by a motor vehicle and so constructed that no  
21 part of its weight rests upon the towing vehicle.

22 "Truck" means every motor vehicle designed, used, or  
23 maintained primarily for the transportation of property.

24 "Truck tractor" means every motor vehicle designed and used  
25 primarily for drawing other vehicles and not so constructed as to  
26 carry a load other than a part of the weight of the vehicle and load  
27 so drawn.

28 "Van pooling" means seven or more persons commuting on a  
29 daily basis to and from work by means of a vehicle with a seating  
30 arrangement designed to carry seven to 15 adult passengers.

31 "Vehicle" means every device in, upon or by which a person or  
32 property is or may be transported upon a highway, excepting  
33 devices moved by human power or used exclusively upon stationary  
34 rails or tracks or motorized bicycles.

35 (cf: P.L.2016, c.35, s.1)

36

37 2. R.S.39:3-10 is amended to read as follows:

38 39:3-10. A person shall not drive a motor vehicle on a public  
39 highway in this State unless the person is under supervision while  
40 participating in a behind-the-wheel driving course pursuant to  
41 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
42 validated permit, or a probationary or basic driver's license issued to  
43 that person in accordance with this article.

44 A person under 18 years of age shall not be issued a basic license  
45 to drive motor vehicles, and a person shall not be issued a validated  
46 permit, including a validated examination permit, until the applicant  
47 has passed a satisfactory examination and other requirements as to

1 the applicant's ability as an operator. The examination shall  
2 include: a test of the applicant's vision; the applicant's ability to  
3 understand traffic control devices; the applicant's knowledge of safe  
4 driving practices, including the dangers of driving a vehicle in an  
5 aggressive manner, which shall include, but not be limited to,  
6 unexpectedly altering the speed of a vehicle, making improper or  
7 erratic traffic lane changes, disregarding traffic control devices,  
8 failing to yield the right of way, and following another vehicle too  
9 closely; the applicant's knowledge of operating a motor vehicle in a  
10 manner that safely shares the roadway with pedestrians, cyclists,  
11 skaters, riders of motorized-scooters, and other non-motorized  
12 vehicles, which shall include, but not be limited to, passing a cyclist  
13 on the roadway, recognizing bicycle lanes, navigating intersections  
14 with pedestrians and cyclists, and exiting a vehicle without  
15 endangering pedestrians and cyclists; the applicant's knowledge of  
16 the effects that ingestion of alcohol or drugs has on a person's  
17 ability to operate a motor vehicle; the applicant's knowledge of the  
18 dangers of carbon monoxide poisoning from motor vehicles and  
19 techniques for the safe operation and proper maintenance of a motor  
20 vehicle; the applicant's knowledge of portions of the mechanism of  
21 motor vehicles as is necessary to insure the safe operation of a  
22 vehicle of the kind or kinds indicated by the applicant; and the  
23 applicant's knowledge of the laws and ordinary usages of the road.  
24 The examination shall be made available in English and each of the  
25 three languages, other than English, most commonly spoken in the  
26 State, as determined by the chief administrator. The chief  
27 administrator shall periodically, and at least every five years, verify  
28 the three languages, other than English, most commonly spoken in  
29 the State.

30 A person shall not sit for an examination for any permit without  
31 exhibiting photo identification deemed acceptable by the  
32 commission, unless that person is a high school student  
33 participating in a course of automobile driving education approved  
34 by the State Department of Education and conducted in a public,  
35 parochial, or private school of this State, pursuant to section 1 of  
36 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the  
37 written law knowledge examination for any person 18 years of age  
38 or older possessing a valid driver's license issued by any other state,  
39 the District of Columbia, or the United States Territories of  
40 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The  
41 commission shall be required to provide that person with a booklet  
42 that highlights those motor vehicle laws unique to New Jersey. A  
43 road test shall be required for a probationary license and serve as a  
44 demonstration of the applicant's ability to operate a vehicle of the  
45 class designated. During the road test, an applicant may use a rear  
46 visibility system, parking sensors, or other technology installed on

1 the motor vehicle that enables the applicant to view areas directly  
2 behind the vehicle or alerts the applicant of obstacles while parking.

3 A person shall not sit for a road test unless that person exhibits  
4 photo identification deemed acceptable by the commission. A high  
5 school student who has completed a course of behind-the-wheel  
6 automobile driving education approved by the State Department of  
7 Education and conducted in a public, parochial, or private school of  
8 this State, who has been issued a special learner's permit pursuant to  
9 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,  
10 shall not be required to exhibit photo identification in order to sit  
11 for a road test. The commission may waive the road test for any  
12 person 18 years of age or older possessing a valid driver's license  
13 issued by any other state, the District of Columbia, or the United  
14 States Territories of American Samoa, Guam, Puerto Rico, or the  
15 Virgin Islands. The road test shall be given on public streets, where  
16 practicable and feasible, but may be preceded by an off-street  
17 screening process to assess basic skills. The commission shall  
18 approve locations for the road test which pose no more than a  
19 minimal risk of injury to the applicant, the examiner, and other  
20 motorists. New locations for the road test shall not be approved  
21 unless the test can be given on public streets.

22 A person who successfully completes a road test for a  
23 motorcycle license or a motorcycle endorsement when operating a  
24 motorcycle or motorized scooter with an engine displacement of  
25 less than 231 cubic centimeters shall be issued a motorcycle license  
26 or endorsement restricting the person's operation of the vehicles to  
27 any motorcycle with an engine displacement of 500 cubic  
28 centimeters or less. A person who successfully completes a road  
29 test for a motorcycle license or motorcycle endorsement when  
30 operating a motorcycle with an engine displacement of 231 or more  
31 cubic centimeters shall be issued a motorcycle license or  
32 endorsement without any restriction as to engine displacement.  
33 Any person who successfully completes an approved motorcycle  
34 safety education course established pursuant to the provisions of  
35 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a  
36 motorcycle license or endorsement without restriction as to engine  
37 displacement.

38 A person issued a motorcycle license pursuant to this section  
39 may be issued a standard motorcycle license or a REAL ID  
40 motorcycle license. In addition to requiring the person to submit  
41 satisfactory proof of identity and age, the commission shall require  
42 the person to provide:

43 (1) as a condition for obtaining a standard motorcycle license,  
44 two documents providing satisfactory proof that the person is a New  
45 Jersey resident and proof of the person's social security number. If  
46 the person does not have a social security number, the person shall

1 indicate, in a manner prescribed by the commission, that the person  
2 is not eligible to receive a social security number; or

3 (2) as a condition for obtaining a REAL ID motorcycle license:  
4 two documents providing satisfactory proof that the person is a New  
5 Jersey resident; proof of the person's social security number or  
6 verification of ineligibility for a social security number in  
7 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
8 acts amendatory or supplementary thereto, and any federal  
9 regulations adopted thereunder; and proof that the person's  
10 presence in the United States is authorized under federal law.

11 A standard motorcycle license shall indicate that the license shall  
12 not be accepted as identification for an official purpose, as that term  
13 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any  
14 acts amendatory or supplementary thereto, and any federal  
15 regulations adopted thereunder, and shall bear a unique design or  
16 color to indicate that the license shall not be accepted for such  
17 official purpose.

18 The commission shall issue a standard basic driver's license or a  
19 REAL ID basic driver's license to operate a motor vehicle other  
20 than a motorcycle to a person over 18 years of age who previously  
21 has not been licensed to drive a motor vehicle in this State or  
22 another jurisdiction only if that person has: (1) operated a passenger  
23 automobile in compliance with the requirements of this Title for not  
24 less than one year, not including any period of suspension or  
25 postponement, from the date of issuance of a probationary license  
26 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been  
27 assessed more than two motor vehicle points; (3) not been convicted  
28 in the previous year for a violation of R.S.39:4-50, section 2 of  
29 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189  
30 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,  
31 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other  
32 motor vehicle-related violation the commission determines to be  
33 significant and applicable pursuant to regulation; and (4) passed an  
34 examination of the applicant's ability to operate a motor vehicle  
35 pursuant to this section.

36 The commission shall expand the driver's license examination by  
37 20 percent. The additional questions to be added shall consist solely  
38 of questions developed in conjunction with the Department of  
39 Health concerning the use of alcohol or drugs as related to highway  
40 safety. The commission shall develop, in conjunction with the  
41 Department of Health, supplements to the driver's manual which  
42 shall include information necessary to answer any question on the  
43 driver's license examination concerning alcohol or drugs as related  
44 to highway safety.

45 Up to 20 questions may be added to the examination on subjects  
46 to be determined by the commission that are of particular relevance  
47 to youthful drivers, including the importance of operating a motor

1 vehicle in a manner that safely shares the roadway with pedestrians,  
2 cyclists, skaters, riders of motorized-scooters, and other non-  
3 motorized vehicles, which shall include, but not be limited to,  
4 passing a cyclist on the roadway, recognizing bicycle lanes,  
5 navigating intersections with pedestrians and cyclists, and exiting a  
6 vehicle without endangering pedestrians and cyclists, and the  
7 dangers of driving a vehicle in an aggressive manner, which shall  
8 include, but not be limited to, unexpectedly altering the speed of a  
9 vehicle, making improper or erratic traffic lane changes,  
10 disregarding traffic control devices, failing to yield the right of way,  
11 and following another vehicle too closely, after consultation with  
12 the Director of the Division of Highway Traffic Safety in the  
13 Department of Law and Public Safety.

14 The commission shall expand the driver's license examination to  
15 include a question asking whether the applicant is aware of the  
16 provisions of the "Revised Uniform Anatomical Gift Act,"  
17 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on  
18 the driver's license the intention to make a donation of body organs  
19 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

20 The commission shall expand the driver's license examination to  
21 include a question asking whether the applicant is aware of the  
22 dangers of failing to comply with this State's motor vehicle traffic  
23 laws and the "STOP for Nikhil Safety Pledge" set forth in  
24 subsection e. of R.S.39:3-41.

25 The commission shall expand the driver's license examination to  
26 include questions concerning the dangers of carbon monoxide  
27 poisoning from motor vehicles and techniques for the safe operation  
28 and proper maintenance of a motor vehicle.

29 Any person applying for a driver's license to operate a motor  
30 vehicle or motorized bicycle in this State shall surrender to the  
31 commission any current driver's license issued to the applicant by  
32 another state or jurisdiction upon the applicant's receipt of a driver's  
33 license for this State. The commission shall refuse to issue a  
34 driver's license if the applicant fails to comply with this provision.

35 An applicant for a permit or license who is **less than** under 18  
36 years of age, and who holds a permit or license for a passenger  
37 automobile issued by another state or country that is valid or has  
38 expired within a time period designated by the commission, shall be  
39 subject to the permit and license requirements and penalties  
40 applicable to State permit and license applicants who are of the  
41 same age; except that if the other state or country has permit or  
42 license standards substantially similar to those of this State, the  
43 credentials of the other state or country shall be acceptable.

44 The commission shall create classified licensing of drivers  
45 covering the following classifications:

46 a. Motorcycles, except that for the purposes of this section,  
47 motorcycle shall not include any three-wheeled motor vehicle



1 equipped with a single cab with glazing enclosing the occupant,  
2 seats similar to those of a passenger vehicle or truck, seat belts and  
3 automotive steering or any vehicle defined as a motorcycle pursuant  
4 to R.S.39:1-1 having a motor with a maximum piston displacement  
5 that is less than 50 cubic centimeters or a motor that is rated at no  
6 more than 1.5 brake horsepower with a maximum speed of no more  
7 than 35 miles per hour on a flat surface.

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

10 c. (Deleted by amendment, P.L.1999, c.28)

11 d. All motor vehicles not included in classifications a. and b. A  
12 license issued pursuant to this classification d. shall be referred to  
13 as the "basic driver's license~~].~~" and may be issued as a standard  
14 basic driver's license or a REAL ID basic driver's license.

15 Every applicant for a license under classification b. shall be a  
16 holder of a basic driver's license. Any issuance of a license under  
17 classification b. shall be by endorsement on the person's basic  
18 driver's license.

19 A driver's license for motorcycles may be issued separately, but  
20 if issued to the holder of a basic driver's license, it shall be by  
21 endorsement on the person's basic driver's license. The holder of a  
22 basic driver's license or a separately issued motorcycle license shall  
23 be authorized to operate a motorcycle having a motor with a  
24 maximum piston displacement that is less than 50 cubic centimeters  
25 or a motor that is rated at no more than 1.5 brake horsepower with a  
26 maximum speed no more than 35 miles per hour on a flat surface.

27 The commission, upon payment of the lawful fee and after it or a  
28 person authorized by it has examined the applicant and is satisfied  
29 of the applicant's ability as an operator, may, in its discretion, issue  
30 a license to the applicant to drive a motor vehicle. The license shall  
31 authorize the person to drive any registered vehicle, of the kind or  
32 kinds indicated.

33 The license shall expire, except as otherwise provided, during the  
34 fourth calendar year following the date in which the license was  
35 issued and on the same calendar day as the person's date of birth. If  
36 the person's date of birth does not correspond to a calendar day of  
37 the fourth calendar year, the license shall expire on the last day of  
38 the person's birth month.

39 The commission may, at its discretion and for good cause shown,  
40 issue licenses ~~which shall~~ that expire on a date fixed by it. If the  
41 commission issues a REAL ID basic driver's license or REAL ID  
42 motorcycle license to a person who has demonstrated authorization  
43 to be present in the United States for a period of time shorter than  
44 the standard period of the license, the commission shall fix the  
45 expiration date of the license at a date based on the period in which  
46 the person is authorized to be present in the United States under  
47 federal immigration laws. The commission may renew the person's

1 REAL ID basic driver's license or REAL ID motorcycle license  
2 only if it is demonstrated that the person's continued presence in the  
3 United States is authorized under federal law. The fee for licenses  
4 with expiration dates fixed by the commission shall be fixed by the  
5 commission in amounts proportionately less or greater than the fee  
6 herein established.

7 The required fee for a license for the license period shall be as  
8 follows, subject to adjustment pursuant to section 16 of P.L.2007,  
9 c.335 (C.39:2A-36.1):

10 **【Motorcycle】** Standard motorcycle license or endorsement:  
11 \$18.

12 REAL ID motorcycle license: \$29.

13 Omnibus or school bus endorsement: \$18.

14 **【Basic】** Standard basic driver's license: \$18.

15 REAL ID basic driver's license: \$29.

16 The commission shall waive the payment of fees for issuance of  
17 omnibus endorsements whenever an applicant establishes to the  
18 commission's satisfaction that the applicant will use the omnibus  
19 endorsement exclusively for operating omnibuses owned by a  
20 nonprofit organization duly incorporated under Title 15 or 16 of the  
21 Revised Statutes or Title 15A of the New Jersey Statutes.

22 The commission shall issue licenses for the following license  
23 period on and after the first day of the calendar month immediately  
24 preceding the commencement of the period, the licenses to be  
25 effective immediately.

26 All applications for renewals of licenses shall be made in a  
27 manner prescribed by the commission and in accordance with  
28 procedures established by it.

29 The commission in its discretion may refuse to grant a permit or  
30 license to drive motor vehicles to a person who is, in its estimation,  
31 not a proper person to be granted a permit or license, but a defect of  
32 the applicant shall not debar the applicant from receiving a permit  
33 or license unless it can be shown by tests approved by the  
34 commission that the defect incapacitates the applicant from safely  
35 operating a motor vehicle.

36 In addition to requiring an applicant for a driver's license to  
37 submit satisfactory proof of identity and age, the commission also  
38 shall require the applicant to provide**【.】**:

39 (1) as a condition for obtaining a permit and standard basic  
40 driver's license, two documents providing satisfactory proof that  
41 the applicant is a New Jersey resident and proof of the applicant's  
42 social security number. If the applicant does not have a social  
43 security number, the applicant shall indicate, in a manner prescribed  
44 by the commission, that the applicant is not eligible to receive a  
45 social security number; or

46 (2) as a condition for obtaining a REAL ID basic driver's  
47 license: two documents providing satisfactory proof that the

1 applicant is a New Jersey resident; proof of the applicant's social  
2 security number or verification of ineligibility for a social security  
3 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
4 13, any acts amendatory or supplementary thereto, and any federal  
5 regulations adopted thereunder; and proof that the applicant's  
6 presence in the United States is authorized under federal law.

7 A standard basic driver's license shall indicate that the license  
8 shall not be accepted as identification for an official purpose, as that  
9 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
10 any acts amendatory or supplementary thereto, and any federal  
11 regulations adopted thereunder, and shall bear a unique design or  
12 color to indicate that the license shall not be accepted for such  
13 official purpose.

14 If the commission has reasonable cause to suspect that any  
15 document presented by an applicant [as proof of identity, age, or  
16 legal residency] pursuant to this section is altered, false, or  
17 otherwise invalid, the commission shall refuse to grant the permit or  
18 license until the time when the document may be verified by the  
19 issuing agency to the commission's satisfaction.

20 A person violating this section shall be subject to a fine not  
21 exceeding \$500 or imprisonment in the county jail for not more  
22 than 60 days, but if that person has never been licensed to drive in  
23 this State or any other jurisdiction, the applicant shall be subject to  
24 a fine of not less than \$200 and, in addition, the court shall issue an  
25 order to the commission requiring the commission to refuse to issue  
26 a license to operate a motor vehicle to the person for a period of not  
27 less than 180 days. The penalties provided for by this paragraph  
28 shall not be applicable in cases where failure to have actual  
29 possession of the operator's license is due to an administrative or  
30 technical error by the commission.

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

34 Any documents and personal information, including an  
35 applicant's photograph, obtained by the commission from an  
36 applicant for a standard basic driver's license or standard  
37 motorcycle license shall be confidential, shall not be considered a  
38 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
39 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
40 access to government records, and shall not be disclosed by the  
41 commission for the purpose of investigation, arrest, citation,  
42 prosecution, or detention related to an applicant's citizenship or  
43 immigration status without the consent of the applicant or without a  
44 valid court order or subpoena; except that the commission shall not  
45 be restricted, prohibited, or prevented from maintaining, or sending  
46 to or receiving from federal immigration authorities information  
47 regarding the citizenship or immigration status, lawful or unlawful,

1 of any individual, pursuant to 8 U.S.C. s.1373 and 8 U.S.C. s.1644.  
2 Any person that knowingly discloses any documents or personal  
3 information in violation of this section shall be guilty of a crime of  
4 the fourth degree.

5 Possession of a standard basic driver's license or standard  
6 motorcycle license issued pursuant to this section shall not be  
7 considered evidence of an individual's citizenship or immigration  
8 status and shall not be used as a basis for an investigation, arrest,  
9 citation, prosecution, or detention.

10 As used in this section:

11 "Parking sensors" means proximity sensors which use either  
12 electromagnetic or ultrasonic technology and are designed to alert  
13 the driver to obstacles while parking.

14 "Rear visibility system" means devices or components installed  
15 on a motor vehicle at the time of manufacture that allow a forward  
16 facing driver to view a visual image of the area directly behind the  
17 vehicle.

18 (cf: P.L.2017, c.374, s.1)

19

20 3. R.S.39:3-31 is amended to read as follows:

21 39:3-31. a. The chief administrator, upon presentation of a  
22 statement duly sworn to, stating that the original registration  
23 certificate or original motorized bicycle registration certificate has  
24 been destroyed, lost or stolen, may, if **[he]** the chief administrator  
25 is satisfied that the facts as set forth in the statement are  
26 substantially true, issue a duplicate or amended registration  
27 certificate or motorized bicycle registration certificate to the  
28 original holder thereof, upon the payment to the chief administrator  
29 of a fee of \$5 for each duplicate or amended registration certificate  
30 or motorized bicycle registration certificate so issued. The chief  
31 administrator, upon presentation of a statement, duly sworn to,  
32 stating that the original driver's license has been destroyed, lost or  
33 stolen, or requesting a new color **[picture]** photograph, may, if  
34 **[he]** the chief administrator is satisfied that the facts as set forth in  
35 the statement are substantially true, issue a duplicate driver's license  
36 to the original holder thereof, upon payment to the chief  
37 administrator of a fee of \$5 in addition to the digitized **[picture]**  
38 photograph fee. Notwithstanding any other provision of law to the  
39 contrary, the fee for a duplicate or amended registration certificate  
40 for any new passenger automobile required to be registered for a  
41 48-month term or for any new passenger automobile leased for a  
42 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

43 b. The chief administrator may waive the fee imposed for a  
44 duplicate license under subsection a. of this section if the applicant,  
45 at the time of application: is applying for a REAL ID license, as that  
46 term is defined in R.S.39:1-1; currently holds a valid license to  
47 operate a motor vehicle issued by the commission; and is not

1 eligible to renew the applicant's current license. The chief  
2 administrator's authority to waive the duplicate license fee under  
3 this subsection shall expire on October 1, 2020. In order to receive  
4 a REAL ID license pursuant to this subsection, the applicant shall  
5 first surrender to the commission the applicant's current license to  
6 operate a motor vehicle.

7 (cf: P.L.2004, c.64, s.3)

8

9 4. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read  
10 as follows:

11 1. In addition to the requirements for the form and content of a  
12 motor vehicle driver's license under R.S.39:3-10 and a probationary  
13 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on  
14 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),  
15 each initial New Jersey license, each renewal of a New Jersey  
16 driver's license, and each probationary license shall have a digitized  
17 **【color picture】** photograph of the licensee. All licenses issued on  
18 and after January 1, 2000 shall be valid for a period of 48 calendar  
19 months. However, the chief administrator may, at the chief  
20 administrator's discretion, issue licenses and endorsements **【which】**  
21 that shall expire on a date fixed by the chief administrator. The fee  
22 for those licenses or endorsements shall be fixed in amounts  
23 proportionately less or greater than the fee otherwise established.  
24 Notwithstanding the provisions of this section to the contrary, a  
25 person 70 years of age or older may elect to have a license issued  
26 for a period of two or four years, which election shall not be altered  
27 by the chief administrator. The fee for the two-year standard  
28 license shall be \$9, in addition to the fee for a digitized **【picture】**  
29 photograph established in section 4 of P.L.2001, c.391 (C.39:3-  
30 10f4). The fee for a two-year REAL ID license shall be \$14.50, in  
31 addition to the fee for a digitized photograph established in section  
32 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may,  
33 for good cause, extend a license and any endorsement thereon  
34 beyond their expiration dates for periods not to exceed 12 additional  
35 months. The chief administrator may extend the expiration date of  
36 a license and any endorsement thereon without payment of a  
37 proportionate fee when the chief administrator determines that the  
38 extension is necessary for good cause. If any license and  
39 endorsements thereon are so extended, the licensee shall pay upon  
40 renewal the full license fee for the period fixed by the chief  
41 administrator as if no extension had been granted.

42 Each initial driver's license issued to a person under the age of  
43 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)  
44 shall be conspicuously distinct, through the use of color and design,  
45 from the driver's licenses issued to persons 21 years of age or older.  
46 The chief administrator, in consultation with the Superintendent of  
47 State Police, shall determine the color and the manner in which the

1 license is designed to achieve this result. The license shall **also**  
2 bear the words "UNDER 21" in a conspicuous manner. The chief  
3 administrator shall provide that, upon attaining the age of 21, a  
4 licensee shall be issued a replacement driver's license or a new  
5 license, as appropriate. The fee for a replacement license shall be  
6 \$5 in addition to the digitized **picture** photograph fee.

7 As conditions for the renewal of a driver's license, the chief  
8 administrator shall provide that the **picture** photograph of a  
9 licensee be updated except that the chief administrator may elect to  
10 use a stored **picture** photograph to renew a license for a period  
11 not exceeding four additional years for \$18 for a standard license  
12 and \$29 for a REAL ID license, in addition to the digitized  
13 **picture** photograph fee.

14 In addition to any other extension, the chief administrator shall  
15 allow a person to use a stored **picture** photograph to renew a  
16 license for a period not exceeding one year if the person presents  
17 documentation by a licensed physician that the person is undergoing  
18 medical treatment for an illness and the treatment results in  
19 temporary changes to the person's physical characteristics. The fee  
20 for this extension shall be \$18 for a standard license and \$29 for a  
21 REAL ID license and the person shall not be required to pay the  
22 digitized **picture** photograph fee pursuant to section 4 of  
23 P.L.2001, c.391 (C.39:3-10f4).

24 Whenever a person has reconstructive or cosmetic surgery which  
25 significantly alters the person's facial features, the person shall  
26 notify the chief administrator who may require the **picture**  
27 photograph of the licensee to be updated for \$5 in addition to the  
28 digitized **picture** photograph fee.

29 Nothing in this section shall be construed to alter or change any  
30 expiration date on any New Jersey driver's license issued prior to  
31 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,  
32 unless a licensee's driving privileges are otherwise suspended or  
33 revoked, except as provided in R.S.39:3-10, that license shall  
34 remain valid until that expiration date.

35 Specific use of the driver's license and any information stored or  
36 encoded, electronically or otherwise, in relation thereto shall be in  
37 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal  
38 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.  
39 Notwithstanding the provisions of any other law to the contrary, the  
40 digitized **picture** photograph or any access thereto or any use  
41 thereof shall not be sold, leased, or exchanged for value.

42 (cf: P.L.2015, c.306, s.1)

43

44 5. Section 4 of P.L.2001, c.391 (C.39:3-10f4) is amended to  
45 read as follows:

1       4. The fee for a digitized **[picture]** photograph shall be \$6 for  
2 each license, renewal, or duplicate thereof, and shall be in addition  
3 to the fee presently authorized for the issuance of a driver's license  
4 pursuant to R.S.39:3-10.  
5 (cf: P.L.2001, c.391, s.4)

6  
7       6. R.S.39:3-13 is amended to read as follows:

8       39:3-13. The chief administrator may, in the chief  
9 administrator's discretion, issue to a person over 17 years of age an  
10 examination permit, under the hand and seal of the chief  
11 administrator, allowing such person, for the purpose of fitting the  
12 person to become a licensed driver, to operate a designated class of  
13 motor vehicles other than passenger automobiles and motorcycles  
14 for a specified period of not more than 90 days, while in the  
15 company and under the supervision of a driver licensed to operate  
16 such designated class of motor vehicles.

17       The chief administrator, in the chief administrator's discretion,  
18 may issue for a specified period of not less than one year a  
19 passenger automobile or motorcycle-only examination permit to a  
20 person over 17 years of age regardless of whether a person has  
21 completed a course of behind-the-wheel automobile driving  
22 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).  
23 An examination permit applicant who is under 18 years of age shall  
24 obtain the signature of a parent or guardian for submission to the  
25 commission on a form prescribed by the chief administrator. The  
26 chief administrator shall postpone for six months the driving  
27 privileges of any person who submits a fraudulent signature for a  
28 parent or guardian.

29       For six months immediately following the validation of an  
30 examination permit, and until the holder passes the road test, the  
31 holder who is less than 21 years of age shall operate the passenger  
32 automobile only when accompanied by, and under the supervision  
33 of, a New Jersey licensed driver who is at least 21 years of age and  
34 has been licensed to drive a passenger automobile for not less than  
35 three years. The holder of an examination permit who is at least 21  
36 years of age shall operate the passenger automobile for the first  
37 three months under such supervision and until the holder passes the  
38 road test. The supervising driver of the passenger automobile shall  
39 sit in the front seat of the vehicle. Whenever operating a vehicle  
40 while in possession of an examination permit, the holder of the  
41 permit shall operate the passenger automobile with only one  
42 additional passenger in the vehicle excluding dependents of the  
43 permit holder, except that this passenger restriction shall not apply  
44 when the permit holder is at least 21 years of age or when the  
45 permit holder is accompanied by a parent or guardian. Further, the  
46 holder of the passenger automobile permit who is less than 21 years  
47 of age shall not drive during the hours between 11:01 p.m. and 5

1 a.m.; provided, however, that this condition may be waived for an  
2 emergency which, in the judgment of local police, is of sufficient  
3 severity and magnitude to substantially endanger the health, safety,  
4 welfare, or property of a person, or for any bona fide employment  
5 or religion-related activity if the employer or appropriate religious  
6 authority provides written verification of such activity in a manner  
7 provided for by the chief administrator. The holder of the  
8 examination permit shall not use any hand-held or hands-free  
9 interactive wireless communication device, except in an emergency,  
10 while operating a moving passenger automobile on a public road or  
11 highway. "Use" shall include, but not be limited to, talking or  
12 listening on any hand-held or hands-free interactive wireless  
13 communication device or operating its keys, buttons, or other  
14 controls. The passenger automobile permit holder shall ensure that  
15 all occupants of the vehicle are secured in a properly adjusted and  
16 fastened seat belt or child restraint system.

17 The holder of an examination permit subject to the provisions of  
18 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a  
19 motorcycle at any time from a half-hour after sunset to a half-hour  
20 before sunrise. A motorcycle operated by the holder of an  
21 examination permit shall carry only the operator and shall not be  
22 operated on any toll road over which the New Jersey Turnpike  
23 Authority or the South Jersey Transportation Authority has  
24 jurisdiction or on any limited-access interstate highway.

25 The holder of any examination permit shall not operate a  
26 motorcycle having a motor with a maximum piston displacement  
27 that is less than 50 cubic centimeters or a motor that is rated at no  
28 more than 1.5 brake horsepower with a maximum speed of no more  
29 than 35 miles per hour on a flat surface at anytime from a half-hour  
30 after sunset to a half-hour before sunrise and shall not operate the  
31 motorcycle with any other passenger. The holder of any  
32 examination permit shall not operate such a motorcycle upon  
33 limited-access interstate highways or public roads or highways with  
34 a posted speed limit greater than 35 miles per hour.

35 An applicant for an examination permit subject to the provisions  
36 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18  
37 years of age, shall be required to successfully complete a  
38 motorcycle safety education course established pursuant to the  
39 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a  
40 condition for obtaining a motorcycle license or endorsement.

41 The chief administrator shall provide the holder of an  
42 examination permit with two removable, transferable, highly  
43 visible, reflective decals indicating that the driver of the vehicle  
44 may be the holder of an examination permit. The decals shall be  
45 designed by the chief administrator, in consultation with the  
46 Division of Highway Traffic Safety in the Department of Law and  
47 Public Safety. The chief administrator may charge a fee for the



1 decals not to exceed the actual cost of producing and distributing  
2 the decals. The decals shall be displayed in a manner prescribed by  
3 the chief administrator, in consultation with the Division of  
4 Highway Traffic Safety in the Department of Law and Public  
5 Safety, and shall be clearly visible to law enforcement officers. The  
6 holder of an examination permit shall not operate a vehicle unless  
7 the decals are displayed. The decal shall be removed once the  
8 driver's examination permit period has ended.

9 When notified by a court of competent jurisdiction that an  
10 examination permit holder has been convicted of a violation which  
11 causes the permit holder to accumulate more than two motor vehicle  
12 points or has been convicted of a violation of R.S.39:4-50; section 2  
13 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189  
14 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
15 P.L.2017, c.165 (C.2C:11-5.3)**[,]**; subsection c. of N.J.S.2C:12-1;  
16 or any other motor vehicle-related law the chief administrator  
17 deems significant and applicable pursuant to regulation, in addition  
18 to any other penalty that may be imposed, the chief administrator  
19 shall, without the exercise of discretion or a hearing, suspend the  
20 examination permit holder's examination permit for 90 days. The  
21 chief administrator shall restore the permit following the term of the  
22 permit suspension if the permit holder satisfactorily completes a  
23 remedial training course of not less than four hours which may be  
24 given by the commission, a driving school licensed by the chief  
25 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),  
26 or any Statewide safety organization approved by the chief  
27 administrator. The course shall be subject to oversight by the  
28 commission according to its guidelines. The permit holder shall  
29 also remit a course fee prior to the commencement of the course.  
30 The chief administrator also shall postpone without the exercise of  
31 discretion or a hearing the issuance of a basic license for 90 days if  
32 the chief administrator is notified by a court of competent  
33 jurisdiction that the examination permit holder, after completion of  
34 the remedial training course, has been convicted of any motor  
35 vehicle violation which results in the imposition of any motor  
36 vehicle points or has been convicted of a violation of R.S.39:4-50;  
37 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
38 **[c.182]** c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5**[,]**;  
39 subsection c. of N.J.S.2C:12-1; or any other motor vehicle-related  
40 law the chief administrator deems significant and applicable  
41 pursuant to regulation. When the chief administrator is notified by  
42 a court of competent jurisdiction that an examination permit holder  
43 has been convicted of any alcohol or drug-related offense unrelated  
44 to the operation of a motor vehicle and is not otherwise subject to  
45 any other suspension penalty therefor, the chief administrator shall,  
46 without the exercise of discretion or a hearing, suspend the  
47 examination permit for six months.

1 An examination permit for a motorcycle or a commercial motor  
2 vehicle issued to a person with a disability, as determined by the  
3 New Jersey Motor Vehicle Commission after consultation with the  
4 Department of Education, shall be valid for nine months or until the  
5 completion of the road test portion of the license examination,  
6 whichever period is shorter.

7 Each permit shall be sufficient license for the person to operate  
8 such designated class of motor vehicles in this State during the  
9 period specified, while in the company of and under the control of a  
10 driver licensed by this State to operate such designated class of  
11 motor vehicles, or, in the case of a commercial driver license  
12 permit, while in the company of and under the control of a holder of  
13 a valid commercial driver license for the appropriate license class  
14 and with the appropriate endorsements issued by this or any other  
15 state. Such person, as well as the licensed driver, except for a motor  
16 vehicle examiner administering a driving skills test, shall be held  
17 accountable for all violations of this subtitle committed by such  
18 person while in the presence of the licensed driver.

19 In addition to requiring an applicant for an examination permit to  
20 submit satisfactory proof of identity and age, the chief administrator  
21 also shall require the applicant to provide, as a condition for  
22 obtaining the permit, two documents providing satisfactory proof  
23 that the [applicant's presence in the United States is authorized  
24 under federal law] applicant is a resident of the State. An applicant  
25 for a commercial driver license permit shall submit satisfactory  
26 proof that the applicant's presence in the United States is authorized  
27 under federal law and proof of the applicant's social security  
28 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any  
29 acts amendatory or supplementary thereto, and any federal  
30 regulations adopted thereunder.

31 If the chief administrator has reasonable cause to suspect that  
32 any document presented by an applicant [as proof of identity, age,  
33 or legal residency] pursuant to this section is altered, false, or  
34 otherwise invalid, the chief administrator shall refuse to grant the  
35 permit until such time as the document may be verified by the  
36 issuing agency to the chief administrator's satisfaction.

37 The holder of an examination permit shall be required to take a  
38 road test in order to obtain a probationary license. No road test for  
39 any person who has been issued an examination permit to operate a  
40 passenger vehicle shall be given unless the person has met the  
41 requirements of this section. No road test for a probationary license  
42 shall be given unless the applicant has first secured an examination  
43 permit and no such road test shall be scheduled for an applicant  
44 who has secured an examination permit for a passenger vehicle or a  
45 motorcycle for which an endorsement is not required until at least  
46 six months for an applicant under 21 years of age or three months  
47 for an applicant 21 years of age or older shall have elapsed

1 following the validation of the examination permit for practice  
2 driving or, in the case of an examination permit for other vehicles,  
3 until 20 days have elapsed. In the case of an omnibus endorsement  
4 or school bus, no road test shall be scheduled until at least 10 days  
5 shall have elapsed. Every applicant for an examination permit to  
6 qualify for an omnibus endorsement or an articulated vehicle  
7 endorsement shall be a holder of a valid basic driver's license.

8 The required fees for special learner's permits and examination  
9 permits shall be as follows:

10 Basic driver's license.....up to \$10  
11 Motorcycle license or endorsement.....\$ 5  
12 Omnibus or school bus endorsement.....\$25

13 The chief administrator shall waive the payment of fees for  
14 issuance of examination permits for omnibus endorsements  
15 whenever the applicant establishes to the chief administrator's  
16 satisfaction that said applicant will use the omnibus endorsement  
17 exclusively for operating omnibuses owned by a nonprofit  
18 organization duly incorporated under Title 15 or 16 of the Revised  
19 Statutes or Title 15A of the New Jersey Statutes.

20 The specified period for which a permit is issued may be  
21 extended for not more than an additional 60 days, without payment  
22 of an added fee, upon application made by the holder thereof, where  
23 the holder has applied to take the examination for a driver's license  
24 prior to the expiration of the original period for which the permit  
25 was issued and the chief administrator was unable to schedule an  
26 examination during said period.

27 As a condition for the issuance of an examination permit under  
28 this section, the chief administrator shall secure a digitized  
29 **【picture】** photograph of the applicant. The **【picture】** photograph  
30 shall be stored in a manner prescribed by the chief administrator  
31 and may be displayed on the examination permit.

32 The chief administrator may require that whenever a person to  
33 whom an examination permit has been issued has reconstructive or  
34 cosmetic surgery which significantly alters the person's facial  
35 features, the person shall notify the chief administrator who may  
36 require the **【picture】** photograph of the person to be updated.

37 Specific use of the examination permit and any information  
38 stored or encoded, electronically or otherwise, in relation thereto  
39 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and  
40 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-  
41 322. Notwithstanding the provisions of any other law to the  
42 contrary, the digitized **【picture】** photograph or any access thereto or  
43 any use thereof shall not be sold, leased, or exchanged for value.

44 (cf: P.L.2017, c.165, s.11)

45

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

1       1. The Chief Administrator of the New Jersey Motor Vehicle  
2 Commission may issue to a person over 16 years of age a special  
3 learner's permit, under the hand and seal of the chief administrator,  
4 allowing such person, for the purpose of preparing himself to  
5 qualify for a probationary license for a passenger automobile by  
6 operating a dual pedal controlled motor vehicle while taking a  
7 required course of behind-the-wheel automobile driving education  
8 approved by the State Department of Education and conducted in a  
9 public, parochial, or private school of this State or a course of  
10 behind-the-wheel automobile driving instruction conducted by a  
11 drivers' school duly licensed pursuant to the provisions of P.L.1951,  
12 c.216 (C.39:12-1 et seq.). The special learner's permit shall be  
13 issued in lieu of the examination permit provided for in R.S.39:3-  
14 13.

15       In addition to requiring an applicant for a permit to submit  
16 satisfactory proof of identity and age, the chief administrator also  
17 shall require the applicant to provide, as a condition for obtaining a  
18 permit, two documents providing satisfactory proof that the  
19 **【applicant's presence in the United States is authorized under**  
20 **federal law】** applicant is a resident of the State.

21       If the chief administrator has reasonable cause to suspect that  
22 any document presented by an applicant **【as proof of identity, age**  
23 **or legal residency】** pursuant to this section is altered, false or  
24 otherwise invalid, the chief administrator shall refuse to grant the  
25 permit until such time as the document may be verified by the  
26 issuing agency to the chief administrator's satisfaction.

27       The special learner's permit described above, when issued to a  
28 person taking a course of behind-the-wheel driving education  
29 conducted in a public, parochial, or private school, shall be retained  
30 in the office of the school principal at all times except during such  
31 time as the person to whom the permit is issued is undergoing  
32 behind-the-wheel automobile driving instruction. The chief  
33 administrator may make such rules and regulations as he may deem  
34 necessary to carry out the provisions of this section.

35 (cf: P.L.2009, c.38, s.7)

36

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

39       4. a. The holder of a special learner's permit shall be entitled  
40 to a probationary driver's license (1) upon attaining the age of 17  
41 years, (2) upon the satisfactory completion of an approved behind-  
42 the-wheel driver training course as indicated upon the face of the  
43 special permit over the signature of the principal of the school or  
44 the person operating the driving school in which the course was  
45 conducted, (3) upon the completion of six months' driving  
46 experience with a validated special learner's permit in compliance

- 1 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),  
2 and (4) upon passing the road test pursuant to R.S.39:3-10.
- 3 b. The holder of a probationary license shall be permitted to  
4 operate the passenger automobile with only one additional  
5 passenger in the vehicle besides any dependent of the probationary  
6 license holder, except that this passenger restriction shall not apply  
7 when the holder of the probationary license is at least 21 years of  
8 age or the probationary license holder is accompanied by a parent or  
9 guardian. Further, the holder of the probationary license who is  
10 under 21 years of age shall not drive during the hours between  
11 11:01 p.m. and 5 a.m.; provided however, that this condition may  
12 be waived for an emergency which, in the judgment of local police,  
13 is of sufficient severity and magnitude to substantially endanger the  
14 health, safety, welfare, or property of a person or for any bona fide  
15 employment or religion-related activity if the employer or  
16 appropriate religious authority provides written verification of such  
17 activity in a manner provided for by the chief administrator.
- 18 c. The holder of the probationary license shall not use any  
19 hand-held or hands-free interactive wireless communication device,  
20 except in an emergency, while operating a moving passenger  
21 automobile on a public road or highway. "Use" shall include, but  
22 not be limited to, talking or listening on any hand-held or hands-  
23 free interactive wireless communication device or operating its  
24 keys, buttons, or other controls. In addition, the holder of the  
25 probationary license shall ensure that all occupants of the vehicle  
26 are secured in a properly adjusted and fastened seat belt or child  
27 restraint system.
- 28 d. In addition to any other penalties provided under law, the  
29 holder of a probationary license who accumulates more than two  
30 motor vehicle points or is convicted of a violation of R.S.39:4-50;  
31 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
32 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
33 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or  
34 any other motor vehicle law the chief administrator deems to be  
35 significant and applicable pursuant to regulation shall, for the first  
36 violation, be required to satisfactorily complete a remedial training  
37 course of not less than four hours which may be given by the  
38 commission, a driving school licensed by the chief administrator  
39 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any  
40 Statewide safety organization approved by the chief administrator.  
41 The course shall be administered pursuant to rules and regulations  
42 promulgated by the chief administrator and subject to oversight by  
43 the commission. The authority of the chief administrator to  
44 suspend, revoke, or deny issuance of an initial or renewal license to  
45 operate a driving school or an instructor's license, and to assess  
46 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to  
47 any violations related to the administration of a remedial training

1 course. The license holder shall also remit a course fee prior to the  
2 commencement of the course.

3 e. When notified by a court of competent jurisdiction that a  
4 probationary license holder has been convicted of a second or  
5 subsequent violation, in addition to any other penalties provided  
6 under law, the chief administrator shall, without the exercise of  
7 discretion or a hearing, suspend the probationary license for three  
8 months, and shall postpone eligibility for a basic license for an  
9 equivalent period. In addition, when the chief administrator is  
10 notified by a court of competent jurisdiction that a probationary  
11 license holder has been convicted of any alcohol or drug-related  
12 offense unrelated to the operation of a motor vehicle, and he is not  
13 otherwise subject to any other suspension penalty therefor, the chief  
14 administrator shall, without the exercise of discretion or a hearing,  
15 suspend the probationary license for six months.

16 f. The chief administrator shall provide the holder of a  
17 probationary license with two removable, transferable, highly  
18 visible, reflective decals indicating that the driver of the vehicle  
19 may be the holder of a probationary license. The decals shall be  
20 designed by the chief administrator, in consultation with the  
21 Division of Highway Traffic Safety in the Department of Law and  
22 Public Safety. The chief administrator may charge a fee for the  
23 decals not to exceed the actual cost of producing and distributing  
24 the decals. The decals shall be displayed in a manner prescribed by  
25 the chief administrator, in consultation with the Division of  
26 Highway Traffic Safety in the Department of Law and Public  
27 Safety, and shall be clearly visible to law enforcement officers. The  
28 holder of a probationary license shall not operate a vehicle unless  
29 the decals are displayed. The decal shall be removed once the  
30 driver's probationary license period has ended.

31 g. A probationary license may be sent by mail and shall be  
32 clearly identifiable and distinguishable in appearance from a basic  
33 license by any name, mark, color, or device deemed appropriate by  
34 the chief administrator.

35 h. A person issued a probationary license pursuant to this  
36 section may be issued a standard probationary license or a REAL  
37 ID probationary license. In addition to requiring an applicant for a  
38 probationary license to submit satisfactory proof of identity and  
39 age, the chief administrator shall require the applicant to provide:

40 (1) as a condition for obtaining a standard probationary license,  
41 two documents providing satisfactory proof that the applicant is a  
42 New Jersey resident and proof of the applicant's social security  
43 number. If the applicant does not have a social security number, the  
44 applicant shall indicate, in a manner prescribed by the commission,  
45 that the applicant is not eligible to receive a social security number;  
46 or

1       (2) as a condition for obtaining a REAL ID probationary  
2 license: two documents providing satisfactory proof that the  
3 applicant is a New Jersey resident; proof of the applicant's social  
4 security number or verification of ineligibility for a social security  
5 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
6 13, any acts amendatory or supplementary thereto, and any federal  
7 regulations adopted thereunder; and proof that the applicant's  
8 presence in the United States is authorized under federal law.

9       A standard probationary license shall indicate that the license  
10 shall not be accepted as identification for an official purpose, as that  
11 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
12 any acts amendatory or supplementary thereto, and any federal  
13 regulations adopted thereunder, and shall bear a unique design or  
14 color to indicate that the license shall not be accepted for such  
15 official purpose.

16       If the chief administrator has reasonable cause to suspect that  
17 any document presented by an applicant pursuant to this section is  
18 altered, false, or otherwise invalid, the chief administrator shall  
19 refuse to grant the probationary license until such time as the  
20 document may be verified by the issuing agency to the chief  
21 administrator's satisfaction.

22       i. Any documents and personal information, including an  
23 applicant's photograph, obtained by the commission from an  
24 applicant for a standard probationary license shall be confidential,  
25 shall not be considered a government record pursuant to P.L.1963,  
26 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
27 common law concerning access to government records, and shall  
28 not be disclosed by the commission for the purpose of investigation,  
29 arrest, citation, prosecution, or detention related to an applicant's  
30 citizenship or immigration status without the consent of the  
31 applicant or without a valid court order or subpoena; except that the  
32 commission shall not be restricted, prohibited, or prevented from  
33 maintaining, or sending to or receiving from federal immigration  
34 authorities information regarding the citizenship or immigration  
35 status, lawful or unlawful, of any individual, pursuant to  
36 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly  
37 discloses any documents or personal information in violation of this  
38 subsection shall be guilty of a crime of the fourth degree.

39       Possession of a standard probationary license issued pursuant to  
40 this section shall not be considered evidence of an individual's  
41 citizenship or immigration status and shall not be used as a basis for  
42 an investigation, arrest, citation, prosecution, or detention.

43 (cf: P.L.2017, c.165, s.13)

44  
45       9. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read  
46 as follows:

1       2. a. (1) The New Jersey Motor Vehicle Commission shall  
2 issue an identification card to any resident of the State who is 14  
3 years of age or older and who is not the holder of a valid permit or  
4 basic driver's license. The identification card shall attest to the true  
5 name, correct age, and veteran status, upon submission of  
6 satisfactory proof, by any veteran, and shall contain other  
7 identifying data as certified by the applicant for such identification  
8 card. Every application for an identification card shall be signed  
9 and verified by the applicant and shall be accompanied by the  
10 written consent of at least one parent or the person's legal guardian  
11 if the person is under 17 years of age and shall be supported by such  
12 documentary evidence of the age, identity, and veteran status, or  
13 blindness, or disability of such person as the chief administrator  
14 may require. In addition to requiring an applicant for an  
15 identification card to submit satisfactory proof of identity, age, and,  
16 if appropriate, veteran status, the chief administrator also shall  
17 require the applicant to provide **[,]**:

18       (a) as a condition for obtaining **[the]** a standard identification  
19 card, two documents providing satisfactory proof that the applicant  
20 is a New Jersey resident and proof of the applicant's social security  
21 number. If the applicant does not have a social security number, the  
22 applicant shall indicate, in a manner prescribed by the commission,  
23 that the applicant is not eligible to receive a social security number;  
24 or

25       (b) as a condition for obtaining a REAL ID identification card:  
26 two documents providing satisfactory proof that the applicant is a  
27 New Jersey resident; proof of the applicant's social security number  
28 or verification of ineligibility for a social security number in  
29 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
30 acts amendatory or supplementary thereto, and any federal  
31 regulations adopted thereunder; and proof that the applicant's  
32 presence in the United States is authorized under federal law.

33       Any documents and personal information, including an  
34 applicant's photograph, obtained by the commission from an  
35 applicant for a standard identification card shall be confidential,  
36 shall not be considered a government record pursuant to P.L.1963,  
37 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
38 common law concerning access to government records, and shall  
39 not be disclosed by the commission for the purpose of investigation,  
40 arrest, citizenship, prosecution, or detention related to an  
41 applicant's citizenship or immigration status without the consent of  
42 the applicant or without a valid court order or subpoena; except that  
43 the commission shall not be restricted, prohibited, or prevented  
44 from maintaining, or sending to or receiving from federal  
45 immigration authorities information regarding the citizenship or  
46 immigration status, lawful or unlawful, of any individual, pursuant  
47 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly



1 discloses any documents or personal information in violation of this  
2 subsection shall be guilty of a crime of the fourth degree.

3 Possession of a standard identification card issued pursuant to  
4 this section shall not be considered evidence of an individual's  
5 citizenship or immigration status and shall not be used as a basis for  
6 an investigation, arrest, citation, prosecution, or detention.

7 If the chief administrator has reasonable cause to suspect that  
8 any document presented by an applicant [as proof of identity, age,  
9 veteran status, or legal residency] pursuant to this section is altered,  
10 false or otherwise invalid, the chief administrator shall refuse to  
11 grant the identification card until such time as the document may be  
12 verified by the issuing agency to the chief administrator's  
13 satisfaction.

14 (2) In addition to the requirements for the form and content of  
15 an identification card pursuant to this section, the Chief  
16 Administrator of the New Jersey Motor Vehicle Commission shall,  
17 upon submission of satisfactory proof, designate on an  
18 identification card that the card holder is a Gold Star Family  
19 member. The commission shall provide to the Department of  
20 Military and Veterans' Affairs personal identifying information for  
21 any person issued an identification card with a Gold Star Family  
22 designation pursuant to this section.

23 b. The designation of veteran status on an identification card  
24 shall not be deemed sufficient valid proof of veteran status for  
25 official governmental purposes when any other statute, or any  
26 regulation or other directive of a governmental entity, requires  
27 documentation of veteran status.

28 c. For the purpose of this section:

29 "Gold Star Family member" means a spouse, domestic partner,  
30 partner in a civil union, parent, brother, sister, child, legal guardian,  
31 or other legal custodian, whether of the whole or half blood or by  
32 adoption, of a member of the Armed Forces of the United States or  
33 National Guard, who lost his or her life while on active duty for the  
34 United States.

35 "REAL ID identification card" shall have the same meaning as  
36 provided in R.S.39:1-1.

37 "Veteran" means a person who has been honorably discharged  
38 from the active military service of the United States; and

39 "Satisfactory proof" means, in the case of a veteran, a copy of  
40 form DD-214 or federal activation orders showing service under  
41 Title 10, section 672 or section 12301, of the United States Code, or  
42 a county veteran identification card only if issuance of the card  
43 requires a copy of form DD-214 discharge papers or approved  
44 separation forms as outlined by all branches of the military and duly  
45 recorded by the county clerk's office. In the case of a Gold Star  
46 Family member, satisfactory proof includes any or all of the  
47 following:

1 (1) a certification from the Department of New Jersey of  
2 American Gold Star Mothers, Inc., or any other organization formed  
3 for the support of family members of members of the Armed Forces  
4 of the United States or National Guard, who lost their lives while on  
5 active duty for the United States, that the applicant is either the  
6 spouse, domestic partner, partner in a civil union, parent, brother,  
7 sister, child, legal guardian, or other legal custodian, whether of the  
8 whole or half blood or by adoption, of a member of the armed  
9 forces or National Guard who died while on active duty for the  
10 United States; or

11 (2) (a) documentation deemed acceptable by the Adjutant  
12 General, including, but not limited to, a federal DD Form 1300,  
13 Report of Casualty, or a federal DD Form 2064, Certificate of  
14 Death Overseas, which identifies the member of the Armed Forces  
15 of the United States or National Guard who died while on active  
16 duty for the United States; and

17 (b) documentation indicating the applicant's relationship to the  
18 service member.

19 (cf: P.L.2017, c.175, s.7)

20

21 10. Section 3 of P.L.1980, c.47 (C.39:3-29.4) is amended to read  
22 as follows:

23 3. Every identification card authorized by section 2 of **[this**  
24 **act]** P.L.1980, c.47 (C.39:3-29.3) shall bear a color **[picture]**  
25 photograph of the person to whom it is issued and shall be issued  
26 upon the **[standard license]** form prescribed by the **[Division of**  
27 **Motor Vehicles]** New Jersey Motor Vehicle Commission for color  
28 **[picture]** photograph drivers' licenses, except that the card shall  
29 prominently contain the words "For Identification Only." A  
30 standard identification card shall indicate that the identification card  
31 shall not be accepted as identification for an official purpose, as that  
32 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
33 any acts amendatory or supplementary thereto, and any federal  
34 regulations adopted thereunder, and shall bear a unique design or  
35 color to indicate that the identification card shall not be accepted for  
36 such official purpose.

37 (cf: P.L.1999, c.28, s.7)

38

39 11. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read  
40 as follows:

41 4. a. Except as provided in subsection b. of this section, each  
42 original identification card authorized by section 2 of  
43 P.L.1980, c.47 (C.39:3-29.3) shall, unless canceled earlier or  
44 otherwise provided, expire during the fourth calendar year  
45 following its date of issuance and on the same calendar day as the  
46 person's date of birth. If the date of birth of the bearer of the  
47 identification card does not correspond to a calendar day of the

1 fourth calendar year, the identification card shall expire on the last  
2 day of the birth month of the bearer of the card.

3 The identification card shall be renewable upon the request of  
4 the bearer of the card, pursuant to terms of license renewal  
5 established by the New Jersey Motor Vehicle Commission, and  
6 upon payment of a fee as required by section 6 of  
7 P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant  
8 to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind  
9 or who has a disability shall be valid for the life of the holder unless  
10 canceled by the holder. Cards issued prior to October 16, 1989 and  
11 valid upon the effective date of P.L.1990, c.30 shall be valid for the  
12 life of the holder unless canceled by the holder. Cards issued to  
13 persons with blindness or disabilities between October 16, 1989 and  
14 the effective date of P.L.1990, c.30, and which are valid on the  
15 effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made  
16 valid for the life of the holder unless canceled by the holder, upon  
17 presentation of proof that the person's blindness or disability existed  
18 at the time of the original application. The chief administrator is  
19 authorized to require periodic verification of information included  
20 on any identification card issued for or valid for the life of the  
21 holder. Nothing in this section shall be construed to alter or change  
22 any expiration date on any New Jersey identification card issued  
23 prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.)  
24 and any such identification card shall remain valid until its  
25 expiration date.

26 b. If the chief administrator issues **[an]** a REAL ID  
27 identification card to a person who has demonstrated authorization  
28 to be present in the United States for a period of time shorter than  
29 the standard periods of identification cards, the chief administrator  
30 shall fix the expiration date of the REAL ID identification card at a  
31 date based on the period in which the person is authorized to be  
32 present in the United States under federal immigration laws. The  
33 chief administrator may renew such **[an]** REAL ID identification  
34 card only if it is demonstrated that the person's continued presence  
35 in the United States is authorized under federal law.

36 (cf: P.L.2017, c.131, s.153)

37

38 12. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read  
39 as follows:

40 6. a. The chief administrator shall charge fees as follows:

41	<u>Standard Identification Card, Original</u>	\$18
42	Identification Card, Duplicate	\$5
43	Identification Card, Renewal	\$18
44	<u>REAL ID Identification Card</u>	<u>\$29</u>
45	Digitized <b>[picture]</b> <u>photograph</u>	\$6, in addition
46		to the fees
47		required above

1       b. The chief administrator may waive the fees established  
2 under subsection a. of this section for a homeless person who  
3 submits proof of temporary residence through a social worker or the  
4 coordinator of an emergency shelter for the homeless where the  
5 person is temporarily residing. For the purposes of this section,  
6 "homeless person" means a person without a domicile who is  
7 unable to secure permanent and stable housing as determined by a  
8 social worker or the coordinator of an emergency shelter for the  
9 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
10 seq.).

11       c. The chief administrator may waive the fee imposed for a  
12 duplicate identification card if the applicant, at the time of  
13 application: is applying for a REAL ID identification card, as that  
14 term is defined in R.S.39:1-1; currently holds a valid identification  
15 card issued by the commission; and is not eligible to renew the  
16 applicant's current identification card. The chief administrator's  
17 authority to waive the duplicate identification card fee under this  
18 subsection shall expire on October 1, 2020. In order to receive a  
19 REAL ID identification card pursuant to this subsection, the  
20 applicant shall first surrender to the commission the applicant's  
21 current identification card.

22 (cf: P.L.2016, c.99, s.1)

23

24       13. Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is amended  
25 to read as follows:

26       15. a. Insurers shall put in writing all underwriting rules  
27 applicable to each rate level utilized pursuant to section 14 of  
28 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account  
29 factors, including, but not limited to, driving record characteristics  
30 appropriate for underwriting and classification in formulating its  
31 underwriting rules; provided that no underwriting rule based on  
32 motor vehicle violations shall be formulated in such a manner as to  
33 assign any named insured to a rating tier other than the standard  
34 rating tier applicable to the insured's territory solely on the basis of  
35 accumulating four motor vehicle points or less. No underwriting  
36 rule shall operate in such a manner as to assign a risk to a rating  
37 plan on the basis of the territory in which the insured resides or any  
38 other factor which the commissioner finds is a surrogate for  
39 territory. No underwriting rule shall operate in such a manner as to  
40 assign a risk to a rating plan on the basis of an insured holding a  
41 standard motorcycle license or standard basic driver's license issued  
42 pursuant to R.S.39:3-10, or standard probationary license issued  
43 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer  
44 which knowingly fails to transact automobile insurance consistently  
45 with its underwriting rules shall be subject to a fine of not less than  
46 \$1,000 for each violation.

1       b. All underwriting rules applicable to each rate level as  
2 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall  
3 be filed with the commissioner and shall be subject to **【his】** the  
4 commissioner's prior approval. All underwriting rules shall be  
5 subject to public inspection. Except as provided in subsection d. of  
6 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their  
7 underwriting rules uniformly and without exception throughout the  
8 State, so that every applicant or insured conforming with the  
9 underwriting rules will be insured or renewed, and so that every  
10 applicant not conforming with the underwriting rules will be  
11 refused insurance.

12       c. An insurer with more than one rating plan for private  
13 passenger automobile insurance policies providing identical  
14 coverages shall not adopt underwriting rules which would permit a  
15 person to be insured for private passenger automobile insurance  
16 under more than one of the rating plans.

17       d. An insurer that revises its underwriting rules with respect to  
18 the assignment of insureds to rating tiers based on the number of  
19 accumulated motor vehicle points, as provided by subsection a. of  
20 this section, as amended by P.L.2003, c.89, shall certify to the  
21 commissioner that the revised rule will produce rates that are  
22 revenue neutral based upon the insurer's current coverages and book  
23 of business.

24 (cf: P.L.2003, c.89, s.40)

25

26       14. Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended to read  
27 as follows:

28       2. Each application for a driver's license, or a renewal thereof,  
29 required by R.S.39:3-10 shall contain the street address of the place  
30 of residence **【or business】** of the licensee at the time of application  
31 or renewal. A post office box shall appear on a driver's license  
32 application only as part of a mailing address that is submitted by the  
33 licensee in addition to the street address of the licensee's residence  
34 **【or business】**; provided, however, the **【director】** chief  
35 administrator, upon application, shall permit a person who was a  
36 victim of a violation of **【N.J.S.2C:12-10】** section 1 of P.L.1992,  
37 c.209 (C.2C:12-10), N.J.S.2C:14-2, or **【N.J.S.2C:25-17 et seq.】**  
38 P.L.1991, c.261 (C.2C:25-17 et seq.), or who the **【director】** chief  
39 administrator otherwise determines to have good cause, to use as a  
40 mailing address a post office box, an address other than the  
41 applicant's address or other contact point. A licensee whose last  
42 address appears on the records of the **【division】** commission as a  
43 post office box shall change the address on the application for  
44 renewal to the street address of the licensee's residence **【or**  
45 **business】** and, if different from the street address, **【his】** the  
46 licensee's mailing address unless the **【director】** chief administrator

1 has determined, pursuant to this section, that the licensee may use a  
2 post office box, an address other than the licensee's address or other  
3 contact point as a mailing address.  
4 (cf: P.L.1997, c.189, s.2)

5  
6 15. (New section) The holder of a standard basic driver's  
7 license or standard motorcycle license issued pursuant to R.S.39:3-  
8 10, standard probationary license issued pursuant to section 4 of  
9 P.L.1950, c.127 (C.39:3-13.4), and standard identification card  
10 issued pursuant to section 2 of P.L.1980, c.47 (C.39:3-29.3), shall  
11 have the opportunity to obtain employment and to obtain all the  
12 accommodations, advantages, facilities, and privileges of any place  
13 of public accommodation, publicly assisted housing accommodation  
14 in which the person meets all qualifications for receipt of the  
15 publicly assisted housing accommodation under State or federal  
16 law, and other real property without discrimination by reason of  
17 holding or presenting a standard basic driver's license, standard  
18 motorcycle license, standard probationary license, or standard  
19 identification card, subject only to conditions and limitations  
20 applicable alike to all persons.

21 Nothing in this section shall be construed to alter an employer's  
22 rights or obligations under 8 U.S.C. s.1324a regarding obtaining  
23 documentation evidencing identity and authorization for  
24 employment. An action taken by an employer that is required by  
25 8 U.S.C. s.1324a shall not constitute a violation of this section.

26  
27 16. Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is amended to  
28 read as follows:

29 16. a. On and after the effective date of P.L.2007, c.335  
30 (C.39:2A-36.1 et al.), the board may, by regulation adopted  
31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
32 (C.52:14B-1 et seq.), increase fees and surcharges collected  
33 pursuant to the following statutes, notwithstanding any law, rule, or  
34 regulation to the contrary:

35 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of  
36 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152  
37 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6  
38 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108  
39 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-  
40 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of  
41 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-  
42 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);  
43 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,  
44 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);  
45 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162  
46 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);  
47 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-

1 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,  
2 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);  
3 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,  
4 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);  
5 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77  
6 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-  
7 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of  
8 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-  
9 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);  
10 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2  
11 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307  
12 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section  
13 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;  
14 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,  
15 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);  
16 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,  
17 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156  
18 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of  
19 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-  
20 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of  
21 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-  
22 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of  
23 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-  
24 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;  
25 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-  
26 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;  
27 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,  
28 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

29 b. (1) In determining an appropriate increase of any fee or  
30 surcharge pursuant to subsection a. of this section, the board shall  
31 consider at least the following factors: (a) the year in which the fee  
32 or surcharge was last increased; (b) the actual costs to the State of  
33 New Jersey for administering any transaction, process, filing,  
34 registration, inspection, audit, or any license, permit, or other  
35 document issuance, for which the fee or surcharge is collected; and  
36 (c) the annual percentage increase in the Consumer Price Index or  
37 other similar relevant index.

38 No fee or surcharge set forth in this section shall be increased by  
39 regulation more than once during any five-year period, and no such  
40 fee or surcharge shall be increased beyond an amount that exceeds  
41 the actual costs to the State of New Jersey for administering any  
42 transaction, process, filing, registration, inspection, audit, or any  
43 license, permit, or other document issuance, for which the fee or  
44 surcharge is collected.

45 (2) All increases in a fee or surcharge after the first increase  
46 shall also be subject to the following limitation: the increase shall  
47 not exceed the cumulative annual percentage increase in the

1 Consumer Price Index for the five fiscal years prior to the date of  
2 the proposed subsequent increase.

3 (3) All increases in fees or surcharges imposed by regulation  
4 proposed to be adopted in a calendar year shall be consolidated in  
5 one single regulatory proposal in that calendar year.

6 (4) As used in this section, the "Consumer Price Index" means  
7 the consumer price index for all urban consumers in the New York  
8 City and Philadelphia areas as reported by the Department of Labor  
9 or successor index.

10 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13  
11 (C.39:2A-36), 100 percent of the increased revenues collected from  
12 such increase shall be remitted to the commission.

13 (cf: P.L.2007, c.335, s.16)

14

15 17. Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended to read  
16 as follows:

17 2. The Legislature finds and declares that:

18 a. The Division of Motor Vehicle Services (DMV) is one of the  
19 State's principal customer service agencies with regular and direct  
20 contact with virtually every citizen;

21 b. The DMV has over 15 million contacts a year with the  
22 public, including 39 million transactions, more than any other State  
23 agency;

24 c. The DMV has responsibility for issuing and certifying motor  
25 vehicle driver's licenses, ensuring the proper registration of motor  
26 vehicles, as well as conducting safety and emissions inspections of  
27 motor vehicles;

28 d. The public expects courteous, efficient and accessible  
29 service from government agencies, including the DMV;

30 e. The DMV's failed security systems are contributing to a  
31 growing national problem of identity theft that is costing New  
32 Jersey and the nation millions of dollars each week;

33 f. In the past, the DMV has been unable to deal with fraud and  
34 corruption because of inadequate funding, training, security,  
35 internal controls and oversight;

36 g. The DMV must improve its security system and equipment,  
37 and its fraud detection, training and monitoring so that fraudulent  
38 driver's licenses, such as those used in the furtherance of terroristic  
39 activities, will be eliminated;

40 h. Internal audits and controls and investigations are also  
41 needed to detect patterns of fraud, theft, corruption, identity theft  
42 and mismanagement in the issuance of driver's licenses,  
43 registrations, and titles because DMV documents must be more  
44 resistant to compromise;

45 i. Criminals have used counterfeit passports, Social Security  
46 cards, county identification cards, pay stubs and W-2 forms to



- 1 obtain fraudulent driver's licenses and identification cards in  
2 furtherance of identity-theft schemes;
- 3 j. Proper identification must be required at all phases of the  
4 licensing and driver testing process to assure that only those persons  
5 qualified to legally obtain licenses do so;
- 6 k. It is essential that DMV records be matched with Social  
7 Security Administration records, when presented, in order to verify  
8 the validity of Social Security numbers in DMV databases;
- 9 l. Cameras, armed security guards, panic buttons, alarms,  
10 safety upgrades, card access systems and door replacements are  
11 needed in order to prevent fraud;
- 12 m. Employees or agents of the DMV should be required to  
13 undergo background checks and fingerprinting;
- 14 n. Cleaning crews and maintenance workers at DMV facilities  
15 must be supervised by DMV employees to ensure the security of  
16 DMV records;
- 17 o. In a time of rapidly changing information technology and  
18 Internet communications, the DMV lacks an information  
19 technology plan to bring it to the 21st Century and still operates on  
20 a decades-old computer network with patchwork hardware,  
21 antiquated software and obsolete display terminals that lack  
22 processing abilities;
- 23 p. Previous DMV efforts to implement complex technological  
24 mandates have failed, due to bureaucratic mismanagement,  
25 inefficient planning and inadequate oversight, as characterized by  
26 reports of the State Commission of Investigation;
- 27 q. The DMV has become a reactive agency, struggling to keep  
28 up with the demands of newly legislated responsibilities, and  
29 without the necessary resources to prevent fraud and corruption at  
30 its front-line agencies and without the ability to provide even  
31 adequate service to its six million customers;
- 32 r. The DMV needs a strategic business plan, which is a key to  
33 the operation of an agency, and must work within the confines of  
34 such plan in an effort to adopt best practices, improve customer  
35 service and gain back the confidence of New Jersey citizens and the  
36 Legislature;
- 37 s. The DMV's privatization of some of its agencies in July  
38 1995 has created poor, disjointed and confused service delivery  
39 without consistency among the agencies in terms of policies and  
40 procedures, which has led to confusion and frustration in the minds  
41 of New Jersey citizens;
- 42 t. The DMV privatization has also resulted in poorly paid  
43 employees who have received inadequate benefits, resulting in a  
44 high turnover rate at DMV agencies;
- 45 u. A major benefit to a State-operated DMV system is the  
46 ability to centralize anti-fraud policies and procedures;

1 v. Historically, the privately-operated local motor vehicle  
2 agencies have been plagued with long lines, poor customer service  
3 and inadequate business practices that have routinely caused  
4 network delays and failures for hours at a time;

5 w. The DMV would be in a better position to plan for long-term  
6 improvements, replacements and daily operations if it had a  
7 dedicated and consistent source of funding;

8 x. In order to address the various problems with the DMV, a  
9 "FIX DMV Commission" was formed on April 25, 2002, by  
10 Governor's Executive Order Number 19 to conduct a comprehensive  
11 review of the DMV and to make recommendations on the  
12 restructuring and reorganization of the agency;

13 y. The "FIX DMV Commission" has reported that the DMV is  
14 in crisis and has recommended that a New Jersey Motor Vehicle  
15 Commission be formed in, but not of, the Department of  
16 Transportation to replace the current New Jersey Division of Motor  
17 Vehicles with the purposes of: (1) identifying and regulating drivers  
18 and motor vehicles to deter unlawful and unsafe acts; (2)  
19 identifying and correcting vehicle defects and limiting the amount  
20 of vehicle-produced air pollution; (3) focusing on and responding to  
21 customer service and security issues; and (4) effectuating change by  
22 bringing greater attention and resources to the needs of the  
23 organization;

24 z. It is therefore in the public interest to create a New Jersey  
25 Motor Vehicle Commission, the duties of which would include, but  
26 not be limited to: (1) addressing the multitude of functions  
27 assigned to it while curtailing fraudulent and criminal activities that  
28 present threats to the State's security system; (2) following a multi-  
29 year strategic business plan that is constantly reviewed and updated,  
30 thus avoiding the need for the cyclical reforms that have  
31 characterized its history; and (3) conducting operations on a fiscal  
32 year budget, controlling fees sufficient to fund the budget, adopting  
33 regulations regarding processes and fees; and implementing an  
34 annual strategic business plan.

35 (cf: P.L.2003, c.13, s.2)

36  
37 18. R.S.39:3-41 is amended to read as follows:

38 39:3-41. a. At the time of the issuance of an examination  
39 permit or a special learner's permit to operate a motor vehicle, the  
40 chief administrator shall make available to each applicant for the  
41 examination permit or special learner's permit a driver's manual  
42 containing information required to be known and followed by  
43 licensed drivers relating to licensing requirements.

44 b. At the time of any required examination for renewal of a  
45 driver's license, the chief administrator shall upon request make  
46 available to each applicant for renewal a copy of the manual and  
47 any supplements thereto.

1 c. The driver's manual and any supplements thereto or any  
2 other booklet or writing prepared in connection with examinations  
3 for drivers' licenses or for renewals of drivers' licenses shall contain  
4 all information necessary to answer any question on an examination  
5 for a driver's license or for a renewal of a driver's license.

6 The chief administrator shall publish the driver's manual on the  
7 website of the commission in English and each of the three  
8 languages, other than English, most commonly spoken in the State,  
9 as determined by the chief administrator. The chief administrator  
10 shall periodically, and at least every five years, verify the three  
11 languages, other than English, most commonly spoken in the State.

12 d. The chief administrator, following consultation with the  
13 organ procurement organizations designated pursuant to 42 U.S.C.  
14 s.1320b-8 to serve in the State of New Jersey, shall include in the  
15 driver's manual information explaining the provisions of the  
16 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77  
17 et al.), the beneficial uses of donated organs and tissues, and the  
18 procedure for indicating on the driver's license the intention to  
19 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-  
20 12.2). The chief administrator may distribute all remaining copies  
21 of the existing driver's manual before reprinting the manual with the  
22 information required pursuant to this subsection.

23 e. The chief administrator, in consultation with the Nikhil  
24 Badlani Foundation, shall include in the driver's manual  
25 information explaining the dangers of failing to comply with this  
26 State's motor vehicle traffic laws and indicating that interested  
27 drivers may take the STOP for Nikhil Safety Pledge set forth in  
28 paragraph (1) of this subsection.

29 (1) The "STOP for Nikhil Safety Pledge" is as follows:

30 "In order to ensure the safety of others on the road, passengers in  
31 my car, and myself as a driver, I pledge to obey traffic laws while  
32 operating a motor vehicle, be extra cautious, and be attentive to  
33 traffic signs and signals and road conditions. Specifically:

34 I will come to a complete stop at every "stop" sign or red traffic  
35 light, and will not proceed through a red traffic light;

36 I will stay alert, keep two hands on the steering wheel whenever  
37 possible, and keep my mind on the road;

38 I will talk safely by using a hands-free wireless telephone while  
39 driving if I am of lawful age to do so and refrain from texting while  
40 driving; and I will plan ahead and leave enough time to arrive at my  
41 destination."

42 (2) The chief administrator shall ensure that drivers have the  
43 option of taking the pledge set forth in paragraph (1) of this  
44 subsection by filling out a standard form made available at motor  
45 vehicle offices or by following instructions publicized by the chief  
46 administrator directing interested drivers to the appropriate website  
47 to complete the pledge.

1 (3) The chief administrator may distribute all remaining copies  
2 of the existing driver's manual before reprinting the manual with the  
3 information required pursuant to this subsection.

4 f. The chief administrator, in consultation with the  
5 Commissioner of Health and the Director of the Division of  
6 Highway Traffic Safety in the Department of Law and Public  
7 Safety, shall include in the driver's manual information explaining  
8 the dangers of carbon monoxide poisoning from motor vehicles and  
9 techniques for the safe operation and proper maintenance of a motor  
10 vehicle. The chief administrator may distribute all remaining  
11 copies of any existing driver's manual before reprinting the manual  
12 with the information required pursuant to this subsection.

13 (cf: P.L.2016, c.81, s.3)

14  
15 19. (New section) The Chief Administrator of the New Jersey  
16 Motor Vehicle Commission, in consultation with the Attorney  
17 General, shall establish a public awareness campaign for the  
18 duration of 24 months following the effective date of  
19 P.L. , c. (C. ) (pending before the Legislature as this bill) to  
20 inform the general public about the availability of and the  
21 requirements to obtain a standard and REAL ID basic driver's  
22 license, motorcycle license, probationary license, and identification  
23 card.

24  
25 20. (New section) a. There is created an advisory board to be  
26 known as the "Standard and REAL ID Driver License and  
27 Identification Card Advisory Board."

28 b. The purpose of the advisory board shall be to review the  
29 implementation of the provisions of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill) by the New Jersey Motor Vehicle  
31 Commission and the issuance of standard and REAL ID basic  
32 driver's licenses, motorcycle licenses, probationary licenses, and  
33 identification cards by the commission. The advisory board shall  
34 provide guidance to the commission concerning public awareness  
35 and education of the differences between standard and REAL ID  
36 basic driver's licenses, motorcycle licenses, probationary licenses,  
37 and identification cards and how to obtain standard and REAL ID  
38 basic driver's licenses, motorcycle licenses, probationary licenses,  
39 and identification cards.

40 c. The advisory board shall consist of 11 members as follows:

41 (1) the Chief Administrator of the New Jersey Motor Vehicle  
42 Commission, or the chief administrator's designee, who shall serve  
43 ex officio;

44 (2) the Governor's Chief Counsel, or the chief counsel's  
45 designee, who shall serve ex officio; and

46 (3) nine public members as follows:

47 (a) three members appointed by the Governor;

1 (b) three members appointed by the Governor upon the  
2 recommendation of the President of the Senate; and

3 (c) three members appointed by the Governor upon the  
4 recommendation of the Speaker of the General Assembly.

5 d. A vacancy in the membership of the advisory board shall be  
6 filled in the same manner provided for the original appointment.

7 e. The advisory board shall organize as soon as practicable  
8 following the appointment of its members, and shall select a  
9 chairperson and vice-chairperson from among its members.

10 f. The public members of the advisory board shall serve  
11 without compensation, but may be reimbursed for necessary  
12 expenses incurred in the performance of their duties to the extent  
13 that such funds are made available for that purpose.

14 g. The New Jersey Motor Vehicle Commission shall provide  
15 staff support to the advisory board as may be necessary for its  
16 purposes. The advisory board shall be entitled to call to its  
17 assistance and avail itself of the services of the employees of any  
18 State, county, or municipal department, board, bureau, commission,  
19 or agency, as it may require and as may be available for its  
20 purposes.

21 h. No later than 12 months after the effective date of  
22 P.L. , c. (C. ) (pending before the Legislature as this bill),  
23 the advisory board shall report to the Governor, and to the  
24 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
25 its findings and recommendations. The advisory board shall  
26 terminate upon submission of the report.

27  
28 21. This act shall take effect on the first day of the thirteenth  
29 month after enactment, except that the Chief Administrator of the  
30 New Jersey Motor Vehicle Commission may take any anticipatory  
31 administrative action in advance as shall be necessary for the  
32 implementation of this act. Section 20 of this act shall expire upon  
33 submission of the advisory board's report required to be prepared  
34 and submitted pursuant to subsection h. of section 20 of this act.

35

36

37

#### STATEMENT

38

39 This bill creates two categories of basic driver's licenses,  
40 motorcycle licenses, probationary licenses, and non-driver  
41 identification cards (hereinafter referred to collectively as licenses  
42 and identification cards).

43 Under the bill, a person may apply for a standard license or  
44 identification card or a REAL ID license or identification card. A  
45 REAL ID license or identification card is to comply with the  
46 provisions of the federal "REAL ID Act of 2005," any amendatory  
47 or supplementary acts, and any federal regulations adopted

1 thereunder. Under the bill, the fee for a REAL ID license or  
2 identification card is greater than the fee for a standard license or  
3 identification card.

4 The bill allows a New Jersey resident who meets requirements  
5 for the issuance of a license or identification, but who is unable to  
6 prove lawful presence in the United States to receive a standard  
7 license or identification card if the person provides satisfactory  
8 proof of identity and age, two documents providing proof of New  
9 Jersey residency, and proof of the person's social security number.  
10 If the person applying for a standard license or identification card  
11 does not have a social security number, the person is required to  
12 indicate, in a manner prescribed by the New Jersey Motor Vehicle  
13 Commission (MVC), that the person is not eligible to receive a  
14 social security number.

15 In addition to requiring an applicant to submit satisfactory proof  
16 of identity and age, an applicant for a REAL ID license or  
17 identification card is required to submit two documents providing  
18 satisfactory proof of New Jersey residency, proof of the applicant's  
19 social security number or verification of ineligibility for a social  
20 security number in accordance with the "REAL ID Act of 2005,"  
21 and proof that the applicant's presence in the United States is  
22 authorized under federal law.

23 The bill requires a standard license or identification card to  
24 indicate that the license or identification card is not to be accepted  
25 as identification for an official federal purpose and is to bear a  
26 unique design or color to indicate that the license or identification  
27 card is not to be accepted for an official federal purpose. An official  
28 federal purpose includes but is not limited to accessing federal  
29 facilities, boarding federally regulated commercial aircraft, and  
30 entering nuclear power plants.

31 The bill removes the requirement that an applicant for an  
32 examination permit or special learner's permit provide proof of  
33 lawful presence in the country and, instead, requires an applicant  
34 for an examination permit or special learner's permit to provide two  
35 documents providing satisfactory proof of residency in New Jersey.  
36 However, an applicant for a commercial driver license permit is  
37 required to submit satisfactory proof that the applicant's presence in  
38 the United States is authorized under federal law and proof of the  
39 applicant's social security number.

40 Under the bill, any documents and personal information obtained  
41 by the MVC from an applicant for a standard license or  
42 identification card is confidential, is not to be considered a  
43 government record, and is not to be disclosed by the MVC for the  
44 purpose of investigation, arrest, citation, prosecution, or detention  
45 related to an applicant's citizenship or immigration status without  
46 the consent of the applicant or without a court order or subpoena.  
47 However, the MVC is not to be restricted, prohibited, or prevented

1 from maintaining, or sending to or receiving from federal  
2 immigration authorities information regarding citizenship or  
3 immigration status, lawful or unlawful, of any individual pursuant  
4 to certain provisions of federal law. A person that knowingly  
5 discloses any documents or personal information that violates this  
6 provision is guilty of a crime of the fourth degree. A crime of the  
7 fourth degree is punishable by up to 18 months imprisonment and a  
8 maximum fine of \$10,000.

9 The bill provides that possession of a standard license or  
10 identification card is not to be considered evidence of an  
11 individual's citizenship or immigration status and is not to be used  
12 as a basis for an investigation, arrest, citation, prosecution, or  
13 detention.

14 Under the bill, the chief administrator may waive the fee  
15 imposed for a duplicate license and identification card if the  
16 applicant, at the time of application: (1) is applying for a REAL ID  
17 license or REAL ID identification card; (2) currently holds a valid  
18 license to operate a motor vehicle or identification card issued by  
19 the MVC; and (3) is not eligible to renew the applicant's current  
20 license or identification card. The chief administrator's authority to  
21 waive the duplicate fee expires on October 1, 2020. An applicant  
22 for a REAL ID license or REAL ID identification card is required to  
23 surrender to the MVC the applicant's current license or  
24 identification card.

25 The bill provides that the holder of a standard license or  
26 identification card is to have the opportunity to obtain employment,  
27 accommodation, publicly assisted housing accommodation in which  
28 the person meets all qualifications for receipt of the publicly  
29 assisted housing accommodation under State or federal law, and  
30 other real property without discrimination by reason of holding or  
31 presenting a standard license or identification card. However, this  
32 provision does not alter an employer's rights and obligations to  
33 obtain documentation evidencing identity and authorization for  
34 employment in accordance with certain provisions of federal law  
35 and an action taken by an employer that is required by a certain  
36 provision of federal law does not constitute a violation of this  
37 nondiscrimination provision.

38 Under the bill, no insurance underwriting rule is to operate in a  
39 way that assigns risk to a rating plan on the basis of the insured  
40 holding a standard license.

41 The bill provides that an application for a driver's license or a  
42 renewal of a driver's license is to contain the street address of the  
43 applicant's residence at the time of application or renewal and is no  
44 longer permitted to contain the applicant's business address.

45 The bill permits the MVC to increase certain driver's license and  
46 endorsement fees by regulation including fees for issuance of a  
47 standard motorcycle license or endorsement, REAL ID motorcycle

1 license, omnibus or school bus endorsement, standard basic driver's  
2 license, or REAL ID basic driver's license.

3 The bill also requires that the written knowledge examination for  
4 a basic driver's license or validated permit be made available in  
5 English and each of the three languages most commonly spoken in  
6 New Jersey, other than English. The bill also requires the Chief  
7 Administrator of the MVC to publish the driver's manual on the  
8 MVC's website in English and each of the three languages, other  
9 than English, most commonly spoken in New Jersey. The chief  
10 administrator is required to periodically, but at least every five  
11 years, verify the three languages, other than English, most  
12 commonly spoken in New Jersey.

13 The bill requires the Chief Administrator of the MVC to  
14 establish a 24 month public awareness campaign to inform the  
15 public about the availability of and the requirements to obtain a  
16 standard and REAL ID license or identification card.

17 The bill creates the "Standard and REAL ID Driver License and  
18 Identification Card Advisory Board" to review the MVC's  
19 implementation of the provisions of the bill and the issuance of  
20 standard and REAL ID licenses and identification cards. The  
21 advisory board is also to provide guidance to the MVC concerning  
22 public awareness and education of the differences between the  
23 standard and REAL ID licenses and identification cards and how to  
24 obtain standard and REAL ID licenses and identification cards. The  
25 advisory board is required to report to the Governor and Legislature  
26 its findings and recommendations no later than 12 months following  
27 the effective date of the bill. The advisory board terminates upon  
28 the submission of the report.

29 It is the sponsor's intent to improve roadway safety and  
30 Statewide automobile insurance coverage by making driver's  
31 licenses and permits available to any safe driver who meets all of  
32 the requirements relating to the driver's ability to safely operate a  
33 motor vehicle pursuant to State statute and regulations, and who  
34 provides proof of identity, qualifying age, and New Jersey  
35 residency in accordance with the terms of the bill.



# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 4743

# STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Assembly Judiciary Committee reports favorably Assembly, No. 4743.

As reported, this bill creates two categories of basic driver's licenses, motorcycle licenses, probationary licenses, permits, and non-driver identification cards (hereinafter referred to collectively as licenses and identification cards). Under the bill, a person may apply for a standard license or identification card or a REAL ID license or identification card.

#### *Requirements to obtain a REAL ID*

A REAL ID license or identification card is to comply with the provisions of the federal "REAL ID Act of 2005," any amendatory or supplementary acts, and any federal regulations adopted thereunder.

An applicant for a REAL ID license or identification card is required to submit: (1) proof of identity and age; (2) two documents providing proof of New Jersey residency; (3) proof of the applicant's social security number or verification of ineligibility for a social security number in accordance with the "REAL ID Act of 2005;" and (4) proof that the applicant's presence in the United States is authorized under federal law.

#### *Requirements for a Standard License or Identification Card*

The bill allows a New Jersey resident who meets requirements for the issuance of a license or identification card, but who is unable to prove lawful presence in the United States, to receive a standard license or identification card if the person provides: (1) proof of identity and age; (2) two documents providing proof of New Jersey residency; and (3) proof of the person's social security number. If the person applying for a standard license or identification card does not have a social security number, the person is required to indicate, in a manner prescribed by the New Jersey Motor Vehicle Commission (MVC), that the person is not eligible to receive a social security number.

The bill also requires that a standard license or identification card indicate that the license or identification card is not to be accepted as identification for an official federal purpose and bear a unique design or color. An official federal purpose includes, but is not limited to accessing federal facilities, boarding federally regulated commercial aircraft, and entering nuclear power plants.

*Requirements for Permits*

The bill removes the requirement that an applicant for an examination permit or special learner's permit provide proof of lawful presence in the country and, instead, requires an applicant for an examination permit or special learner's permit to provide two documents providing satisfactory proof of residency in New Jersey. However, an applicant for a commercial driver license permit is required to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law and proof of the applicant's social security number.

*Information Obtained by MVC*

Under the bill, any documents and personal information obtained by the MVC from an applicant for a standard license or identification card is confidential, is not to be considered a government record, and is not to be disclosed by the MVC for the purpose of investigation, arrest, citation, prosecution, or detention related to an applicant's citizenship or immigration status without the consent of the applicant or without a court order or subpoena.

However, the MVC is not to be restricted, prohibited, or prevented from maintaining, or sending to or receiving from federal immigration authorities information regarding citizenship or immigration status, lawful or unlawful, of any individual pursuant to certain provisions of federal law. A person that knowingly discloses any documents or personal information that violates this provision is guilty of a crime of the fourth degree. A crime of the fourth degree is punishable by up to 18 months imprisonment and a maximum fine of \$10,000.

*Fees for Licenses and Identification Cards*

Under the bill, the fee for a REAL ID license or identification card is greater than the fee for a standard license or identification card.

The chief administrator may waive the fee imposed for a duplicate license and identification card if the applicant, at the time of application:

- (1) is applying for a REAL ID license or REAL ID identification card;
- (2) currently holds a valid license to operate a motor vehicle or identification card issued by the MVC; and
- (3) is not eligible to renew the applicant's current license or identification card.

The chief administrator's authority to waive the duplicate fee expires on October 1, 2020. To obtain the fee waiver, an applicant for a REAL ID license or REAL ID identification card is required to surrender to the MVC the applicant's current license or identification card.

The bill permits the MVC to increase certain driver's license and endorsement fees by regulation including fees for issuance of a standard motorcycle license or endorsement, REAL ID motorcycle license, omnibus or school bus endorsement, standard basic driver's license, or REAL ID basic driver's license.

*Elimination of Business Address for Licenses*

The bill provides that an application for a driver's license or a renewal of a driver's license is to contain the street address of the applicant's residence at the time of application or renewal and is no longer permitted to contain the applicant's business address. The bill leaves the exception in current law to allow a victim of domestic violence to use a post office box as the address on the person's driver's license.

*Anti-discrimination Provisions*

The bill provides that possession of a standard license or identification card is not to be considered evidence of an individual's citizenship or immigration status and is not to be used as a basis for an investigation, arrest, citation, prosecution, or detention.

The bill provides that the holder of a standard license or identification card is to have the opportunity to obtain employment, accommodation, publicly assisted housing accommodation, for which the person meets all qualifications for receipt of under State or federal law, without discrimination by reason of holding or presenting a standard license or identification card.

However, this provision does not alter an employer's rights and obligations to obtain documentation evidencing identity and authorization for employment in accordance with certain provisions of federal law. An action taken by an employer that is required by a certain provision of federal law does not constitute a violation of this nondiscrimination provision.

*Insurance*

Under the bill, no insurance underwriting rule is to operate in a way that assigns risk to a rating plan on the basis of the insured holding a standard license.

*Written Exam and Driver's Manual*

The bill requires that the written examination (knowledge test) for a basic driver's license or validated permit be made available in English and each of the three languages most commonly spoken in New Jersey, other than English. The bill requires the chief administrator to publish the driver's manual on the MVC's website in English and each of the three languages. The chief administrator is required to periodically, but at least every five years, verify the three languages, other than English, most commonly spoken in New Jersey.

*Public Awareness Campaign and Advisory Board*

The bill requires the Chief Administrator of the MVC to establish a 24 month public awareness campaign to inform the public about the availability of and the requirements to obtain a standard and REAL ID license or identification card.

The bill also creates the "Standard and REAL ID Driver License and Identification Card Advisory Board" to review the MVC's

implementation of the provisions of the bill and the issuance of licenses and identification cards.

The advisory board is also to provide guidance to the MVC concerning public awareness and education of the differences between the standard and REAL ID licenses and identification cards and how to obtain standard and REAL ID licenses and identification cards. The advisory board is required to report to the Governor and Legislature its findings and recommendations no later than 12 months following the effective date of the bill. The advisory board terminates upon the submission of the report.

### MINORITY STATEMENT

By Assemblymen Carroll and Peterson

American government's existence depends upon respect for the rule of law. We, as citizens, expect that our fellow citizens will know the law and obey it. We expect that when people break the law, punishment will follow; because we understand that if the law falls into disrespect, anarchy must necessarily follow.

As Americans, we understand and respect the rule of law, even when we disagree. We understand that the law is to be obeyed because it is the law, and that even laws we consider foolish or harmful must be obeyed until such time as they are properly changed.

We further understand that in our federal system of government, certain areas of authority are specifically delegated to the federal government, with any undelegated powers reserved to the states. Neither sovereign may, consistent with the Constitution, properly interfere with the powers of the other.

While immigration is a contentious topic, certain aspects should be beyond legitimate dispute. The United States Constitution expressly delegates to Congress the right to make "a uniform Rule of Naturalization." Put simply, no person may enter or remain in the United States except in conformity with federal law. While New Jersey need not expend scarce resources enforcing federal law – simple respect for the rule of law demands that New Jersey not act in a fashion inconsistent with federal immigration policy duly enacted by Congress.

Furthermore, the very act of facilitating illegal immigration represents a tacit endorsement of criminal activity. Crossing the border illegally is a crime; any person here illegally who secures employment does so illegally, likely committing numerous crimes in doing so. People flouting the rule of law should not be accorded any special benefits; instead, it should be the policy of the State of New Jersey that everyone should comply with the law. Our state should adopt no law that effectively facilitates the violation of federal law.

People who believe federal law to be in error are completely free to advocate that such federal law be changed. As Immanuel Kant wrote

in his essay “What is Enlightenment?”: Argue as you please, but obey! Free thoughts and free speech against the law is encouraged and is a right; subversion of the law should be discouraged and is a crime.

Until such time as federal law changes, New Jersey should take no action to actively undercut it. Policies that help facilitate the commission of additional wrongs – like making it easier to get an identification card or driver’s license they have no legal right to hold – are misguided at best.

Indeed, New Jersey government would advance the interests of its citizens by enthusiastically cooperating with federal authorities to encourage legal re-entry. We welcome the greater demand for our housing market. We welcome the labor-skills and unique abilities of all individuals, including immigrants. We welcome children who are ready and willing to learn in the best school system in the entire country.

In short, the benefit to New Jersey for cooperating with federal authorities to encourage legal immigration would be immense and immediate, both financially and spiritually, as the very presence of people who exist outside the law inevitably undercuts respect for the rule of law.

Advocates of the instant proposal believe themselves to be justified on the grounds that it would make life easier for those who should have entered legally. The asserted fears of interactions with the authorities could be instantly salved by getting right with the law and returning to their legal homeland, taking their families with them. The fear arises from the fact that they are breaking the law, which we as legislators are sworn by oath to uphold. Respect for the rule of law and our oath of office discourages easing their fear of the consequences of their illegal actions.

New Jersey will not reap any benefits from this proposal. All it will do is reward illegal behavior and facilitate the commission of further crimes by people who conclude that we simply are not serious about enforcing the law. Lawlessness should not be rewarded; it should be deterred, punished, or corrected.

The minority avers that people who find living here illegally too stressful or inconvenient should solve that problem by re-entering this nation’s sovereign borders legally. New Jersey should not be facilitating their lawbreaking; it should be acting to put an end to it. It is our sworn duty as legislators to do so.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4743**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 12, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly, No. 4743.

As amended and reported, this bill creates two categories of basic driver's licenses, motorcycle licenses, probationary licenses, permits, and non-driver identification cards (hereinafter referred to collectively as licenses and identification cards). Under the bill, a person may apply for a standard license or identification card or a REAL ID license or identification card.

#### *Establishment of the Point Based Identification Program*

The bill codifies into law the point based identification verification program, commonly known as the "6 Point ID Verification Program," currently employed by the New Jersey Motor Vehicle Commission (MVC) to prove the identity of any applicant for any license or identification card.

#### *Requirements for a Standard License or Identification Card*

To obtain a standard license or identification card, a person is required to provide satisfactory proof of identity and age, proof of the person's social security number, and one document providing proof of residency. If the person applying for a standard license or identification card does not have a social security number, the person is required to provide an Individual Taxpayer Identification Number (I-TIN) or indicate, in a manner prescribed by the MVC and consistent with all other provisions of law, that the person is not eligible to receive a social security number.

As proof of identity, age, and residency, an applicant for a standard license or identification card is required to provide primary and secondary documents, with which the Chief Administrator of the MVC is required to attribute point values in accordance with the "6 Point ID Verification Program." The point total required to prove the identity of an applicant for a standard license or identification card is required to be the same for every applicant. In the event that the MVC changes the point total threshold, the requirement that every applicant reach the same point total threshold will remain in effect.

The bill also requires that a standard license or identification card indicate that the license or identification card is not to be accepted as identification for an official federal purpose. An official federal purpose includes, but is not limited to accessing federal facilities, boarding federally regulated commercial aircraft, and entering nuclear power plants.

#### *Requirements to obtain a REAL ID*

A REAL ID license or identification card is to comply with the provisions of the federal “REAL ID Act of 2005,” any amendatory or supplementary acts, and any federal regulations adopted thereunder.

In addition to requiring an applicant to submit satisfactory proof of identity and age, an applicant for a REAL ID license or identification card is required to submit two documents providing proof of New Jersey residency, proof of the applicant’s social security number or verification of ineligibility for a social security number in accordance with the “REAL ID Act of 2005,” and proof that the applicant’s presence in the United States is authorized under federal law.

#### *Requirements for Permits*

The bill removes the requirement that an applicant for an examination permit or special learner’s permit provide proof of lawful presence in the country. Instead, in addition to identity and age, the bill requires an applicant for an examination permit or special learner’s permit to provide the requisite number of documents providing proof of residency consistent with the type of license for which the applicant applied.

#### *Information Obtained by MVC*

Under the bill, an applicant for a standard license or identification card is only required to provide information or documentation necessary to determine eligibility for the standard license or identification card for which the applicant has applied. This provision does not prohibit voluntary submission of documents as proof of identity. The bill prohibits the MVC from retaining copies, scanned images, or records of any kind of primary or secondary documents submitted to the MVC by an applicant to establish eligibility for a standard license or identification card.

Any documents and personal information obtained by the MVC from an applicant for a standard license or identification card is confidential and is not to be considered a government record and cannot be disclosed for any purpose related to Title 8 of the U.S. Code without the informed consent of the applicant, a warrant signed by a state or federal judge, or a lawful court order or subpoena. The bill also prohibits the MVC from disclosing to any federal, State, or local law enforcement any motor vehicle record that includes personal information for any purposes related to Title 8 of the U.S. Code

without the informed consent of the applicant, a warrant signed by a State or federal judge, or a lawful court order or subpoena.

The bill provides that when responding to a warrant, court order, or subpoena, the commission may disclose only those records or information specifically requested in the warrant, court order, or subpoena. The bill also provides that, with respect to the disclosure of information by the MVC, nothing is to be construed to prohibit, or in any way restrict, any action where such prohibition or restriction would be contrary to federal law.

#### *Fees for Licenses and Identification Cards*

Under the bill, the fee for a REAL ID license or identification card is greater than the fee for a standard license or identification card.

The chief administrator may waive the fee imposed for a duplicate license and identification card if the applicant, at the time of application:

(1) is applying for a REAL ID license or REAL ID identification card;

(2) currently holds a valid license to operate a motor vehicle or identification card issued by the MVC; and

(3) is not eligible to renew the applicant's current license or identification card.

The chief administrator's authority to waive the duplicate fee expires on October 1, 2020. To obtain the fee waiver, an applicant for a REAL ID license or REAL ID identification card is required to surrender to the MVC the applicant's current license or identification card.

The bill permits the MVC to increase certain driver's license and endorsement fees by regulation including fees for issuance of a standard motorcycle license or endorsement, REAL ID motorcycle license, omnibus or school bus endorsement, standard basic driver's license, or REAL ID basic driver's license.

#### *Elimination of Business Address for Licenses*

The bill provides that an application for a driver's license or a renewal of a driver's license is to contain the street address of the applicant's residence at the time of application or renewal and is no longer permitted to contain the applicant's business address. The bill leaves the exception in current law to allow a victim of domestic violence to use a post office box as the address on the person's driver's license.

#### *Ability to Amend Notation on License or Identification Card*

The bill requires MVC to permit a license or identification card holder to amend the notation on the holder's license or identification card to reflect any legal change made in accordance with "Babs Siperstein Law," which allows a person to change the person's gender identity on the person's birth certificate.



*Non-discrimination Provisions*

The bill prohibits a person or entity from discriminating against a person based upon the fact that the person applied for, was issued, holds, or presents a standard license or identification card. The bill entitles the holder of a standard license or identification card to have the opportunity to obtain employment, accommodation, and publicly assisted housing accommodation, for which the person meets all qualifications State or federal law, without discrimination by reason of holding or presenting a standard license or identification card.

The non-discrimination provisions of the bill are also to apply to the State, any political subdivision of the State, any agency or instrumentality of the State, and to any political subdivision of the State, and the employees, officers, or officials thereof, including law enforcement officers.

This provision does not alter an employer's rights and obligations to obtain documentation of identity and authorization for employment in accordance with certain provisions of federal law. Any action that is required by federal or State law or regulation, or by government contract does not constitute a violation of this non-discrimination provision.

*Insurance*

Under the bill, no insurance underwriting rule is to operate in a way that assigns risk to a rating plan on the basis of the insured holding a standard license.

*Language Translation of Forms and other MVC Services*

The bill requires that the written examination (knowledge test) for a basic driver's license or validated permit be made available in English and each of the three languages most commonly spoken in New Jersey, other than English. The bill requires the chief administrator to publish the driver's manual on the MVC's website in English and each of the three languages. The MVC is also required to translate the most commonly used application forms, as determined by the chief administrator, into each of the three languages. The chief administrator is required to periodically, but at least every five years, verify the three languages, other than English, most commonly spoken in New Jersey.

The bill also requires language translation services to be provided at each MVC agency and regional service center location, in a language spoken and understood by each applicant.

*Public Awareness Campaign and Advisory Board*

The bill requires the chief administrator to establish a 24 month public awareness campaign to inform the public about the availability of and the requirements to obtain a standard and REAL ID license or identification card.

The bill also creates the “Standard and REAL ID Driver License and Identification Card Advisory Board” (advisory board) to review the MVC’s implementation of the provisions of the bill and the issuance of licenses and identification cards.

The advisory board is to provide guidance to the MVC concerning public awareness and education of the differences between the standard and REAL ID licenses and identification cards and how to obtain standard and REAL ID licenses and identification cards. The advisory board is required to report to the Governor and Legislature its findings and recommendations no later than 12 months following the effective date of the bill. The advisory board terminates upon the submission of the report.

#### *Committee Amendments*

The committee amended the bill to:

- include additional findings and declarations;
- codify the point-based identification verification program, commonly known as the “6 Point ID Verification Program;”
- require the MVC to provide language translation services at MVC agencies and regional service center locations and on certain application forms;
- require that an applicant for a standard license or identification card only provide one document providing proof of New Jersey residency, instead of two documents;
- permit an applicant for a standard license or identification card to provide an I-TIN or statement that the applicant is ineligible to receive a social security number, if the applicant does not have a social security number;
- prohibit the MVC from disclosing the social security number, I-TIN, or the statement of ineligibility for a social security number for any applicant for a standard license or identification card, except under certain circumstances;
- require that the documents attributed point values under the “6 Point ID Verification Program” are to have the same point value threshold for all applicants for standard licenses and identification cards, regardless of immigration status;
- prohibit the MVC from disclosing personal information for any purpose related to Title 8 of the U.S. Code without the informed consent of the applicant, a warrant signed by a State or federal judge, or a lawful court order or subpoena;
- clarify that an applicant for a permit is required to provide the requisite number of documents in accordance with the type of license for which the person applied,
- eliminate new requirements created under the original bill for an applicant for a commercial drivers license examination permit;

- permit the holder of a license or identification card to amend the gender notation on the holder's license or identification card;
- require the advisory board to organize within 90 days of the effective date of the bill; and
- change the effective date to require the MVC to start the public awareness campaign within six months of enactment and the advisory board to expire upon the submission the report.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in an indeterminate increase in State costs, and various impacts to State revenue of an indeterminate magnitude, likely netting to an increase. The Motor Vehicle Commission (MVC) will realize costs to redesign and issue new standard licenses, including programming and software changes that will apply to the driver's, motorcycle, probationary, and non-driver licenses. The MVC will also realize costs to translate and publish the drivers manual and driver knowledge tests in three additional languages, and additional employment costs to provide translation services at MVC agencies, that will depend upon how those services are provided. The MVC will realize costs to conduct the 24 month public awareness campaign required under the bill. The magnitude of these costs cannot be currently quantified due to a lack of knowledge about how the requirements will be implemented, including the final design of the licenses, manual, and tests, nor the scope and scale of the public awareness campaign. The majority of costs are likely to be realized in the first two fiscal years after enactment. In addition, the bill should result in a significant increase in the number of persons seeking driver's licenses, which will increase costs indeterminately.

The bill will result in increased revenue from the significant expected increase in the number of persons seeking driver's licenses. Also, the bill will result in increased revenue as a result of setting fees for a REAL ID-compliant documents above current document fees. identification card at \$29, compared to the existing cost of \$18. The magnitude of those increased revenues cannot be determined due to a lack of information about how many people will be opt for REAL ID documents. Also, the bill allows the Chief administrator to waive duplicate license fees for certain individuals upgrading to a REAL ID. The amount of lost revenue from fee waivers cannot be determined due to a lack of information on the exercise of this discretion. The duration of the impact is limited to October 2020, so will only apply in FY 2020 and part of 2021.

The bill also may result in additional State fine revenue due to the new prohibition on disclosing documents and personal information obtained by the MVC for various purposes, except as required under federal law. The maximum fine for a violation of this provision is \$10,000. The bill also provides for fines for submitting false

documents on driver's license applications not greater than \$500 or less than \$200. It is unclear how many, if any, violations of these prohibitions are likely to occur.

The state may also result in increased revenue by granting the chief administrator the power to raise license fees through administrative action. The amount is indeterminate due to a lack of future knowledge about whether the Chief Administrator will exercise this ability, as well as when and by how much the license fees might be raised. Traditionally, the MVC has used its administrative power to raise fees to set the fees at a level at which the revenue projected to be raised by the MVC matches the cost of the service attached to the fee.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 4743

### STATE OF NEW JERSEY 218th LEGISLATURE

DATED: DECEMBER 20, 2019

#### SUMMARY

- Synopsis:** Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.
- Type of Impact:** State cost increase and State revenue increase.
- Agencies Affected:** New Jersey Motor Vehicle Commission.

#### Office of Legislative Services Estimate

Fiscal Impact	
State Cost	Indeterminate Increase
State Revenue	Indeterminate Increase

- The Office of Legislative Services finds that this bill will result in an indeterminate increase in State costs as the Motor Vehicle Commission (MVC) will realize costs to redesign and issue new standard licenses, including programming and software changes that will apply to the standard driver's, motorcycle, probationary, and non-driver licenses. The MVC will also realize costs to translate and publish the drivers manual and driver knowledge tests in three additional languages, and additional employment costs to provide translation services at MVC agencies, that will depend upon how those services are provided. The MVC will realize costs to conduct the 24-month public awareness campaign required under the bill. The majority of costs are likely to be realized in the first two fiscal years after enactment. In addition, the bill should result in a significant increase in the number of persons seeking driver's licenses, which for subsequent years will increase costs proportionately to the current cost per person for providing driver's licenses.
- The bill will result in increased revenue as a result of setting fees for the new issuance and renewal of REAL ID-compliant documents at \$11 more than current document fees. Also, the bill allows the Chief administrator to waive duplicate license fees for certain individuals upgrading to a REAL ID. If the waiver happens, then individuals with current standard driver's

licenses would be able to upgrade to Real ID licenses at no cost, but would subsequently be required to pay the full REAL ID license cost at their scheduled renewal date. The potential exercise of the waiver would represent a loss of potential revenue that would be largely realized in FY 2020 and part of FY 2021. The State may also realize increased revenue by granting the chief administrator the power to raise license fees through administrative action. The timing and amount of any future license fee increase cannot be known, but the MVC is statutorily required when raising fees through administrative action to limit the size of the fee to the actual cost to the MVC to provide the service for which the fee is charged.

- The bill also may result in additional State fine revenue due to the new prohibition on disclosing documents and personal information obtained by the MVC for various purposes, except as required to be disclosed under federal law. The maximum fine for a violation of this provision is \$10,000. The bill also provides for fines for submitting false documents on driver's license applications not greater than \$500 or less than \$200.

## **BILL DESCRIPTION**

This bill creates two categories of basic driver's licenses, motorcycle licenses, probationary licenses, permits, and non-driver identification cards (hereinafter referred to collectively as licenses and identification cards). Under the bill, a person may apply for a standard license or identification card or a REAL ID license or identification card. The principal difference between standard and REAL ID documents is that the latter must comply with federal requirements, in particular that the holder has demonstrated that presence in the United States is authorized under federal law.

Provisions most relevant to the bill's fiscal impact include the following:

- The fee for a REAL ID license or identification card and their renewal is raised to \$29 from the \$18 fee for a standard license or identification card and currently changed for these documents.

The bill permits the chief administrator to waive the \$5 fee, plus the \$6 photo fee, imposed for a duplicate license and identification card, for applicants for a REAL ID license or REAL ID identification card who currently hold a valid license or identification card and are not eligible to renew the applicant's current license or identification card.

The chief administrator's authority to waive the duplicate fee expires on October 1, 2020. To obtain the fee waiver, an applicant for a REAL ID license or REAL ID identification card is required to surrender to the MVC the applicant's current license or identification card.

The bill permits the MVC to increase certain driver's license and endorsement fees by regulation including fees for issuance of a standard motorcycle license or endorsement, REAL ID motorcycle license, omnibus or school bus endorsement, standard basic driver's license, or REAL ID basic driver's license.

- The bill requires that the written examination (knowledge test) for a basic driver's license or validated permit be made available in English and each of the three languages most commonly spoken in New Jersey, other than English. The bill requires the chief administrator to publish the driver's manual on the MVC's website in English and each of the three languages.

The bill also requires the MVC to provide language translation services at each MVC agency and regional service center location, to be provided in a language spoken and understood by each applicant. The MVC is also required to translate the most commonly used application forms, as determined by the chief administrator, into each of the three languages.

The chief administrator is required to periodically, but at least every five years, verify the three languages, other than English, most commonly spoken in New Jersey.

- The bill requires the chief administrator to establish a 24-month public awareness campaign to inform the public about the availability of and the requirements to obtain a standard and REAL ID license or identification card.
- The bill also creates the “Standard and REAL ID Driver License and Identification Card Advisory Board” (advisory board) to review the MVC’s implementation of the provisions of the bill and the issuance of licenses and identification cards, and to provide guidance to the MVC concerning public awareness and education of standard and REAL ID licenses and identification cards. The advisory board terminates upon the submission of its report, no later than 12 months following the effective date of the bill.
- The bill makes unauthorized disclosures by the MVC certain driver document applicant information a fourth degree crime. The bill also makes violations of certain provisions of law pertaining to probationary, learner’s and examination permits subject to fines of up to \$500 or 60-day county jail imprisonment.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services concludes that this bill will result in an indeterminate increase in State costs, and various impacts to State revenue of an indeterminate magnitude, likely netting to an increase.

The MVC will incur costs to redesign and issue new standard licenses, including programming and software changes that will apply to the standard driver’s, motorcycle, probationary, and non-driver licenses. The MVC will also incur costs to translate and publish the drivers manual and driver knowledge tests in three additional languages, and will realize costs to conduct the 24-month public awareness campaign required under the bill. The majority of these costs are likely to be realized in the first two fiscal years after enactment in order to set up the new license system.

There is limited information about the nature of the programming and design changes that will be required for the licenses; however in response to previous questions about license changes such as providing space for medical notations, it was indicated that programming and design changes could range from \$50,000 to over \$200,000 depending upon the nature of the changes. The bill could require even more software and programming changes to the MVC’s underlying databases of driver information, and more complicated interactions between the driver’s license database and other systems that the MVC is responsible for, such as interaction with voter registration systems and donor registries, where each type of license may have a different type of interaction. Despite the potential magnitude of these changes, it is not clear how much of the current work to redesign license system is a direct result of this bill as opposed to a result of the federal requirements for the rollout of the REAL ID itself, which would have happened regardless of this bill.

The redesign of the driver’s manual and knowledge test will result in an indeterminate cost increase. The primary cost will be to hire translation services to convert the existing English language manual and tests into the next three most commonly used languages in the State. There will then be costs to produce copies of the test in all three languages, and potentially copies of the manual as well if the MVC decides to hold physical copies of the manuals in each language at MVC facilities. In addition to those costs, it may be necessary to revise some parts of the exams

and tests in the event that the current wording and verbiage create translation challenges. These costs are indeterminate due to a lack of knowledge about which of the three languages will be used, the changes that might be made to the exam, and what choices the MVC will make concerning physical production or only hosting them digitally.

The 24-month public awareness campaign will result in indeterminate costs. Common materials involve flyers, brochures, short audio clips, short video clips, frequently asked questions, post cards, and interactive websites. There will then be subsequent costs to distribute these materials to the public. Publishing materials online and digitally on monitors at MVC and other State facilities will have relatively little cost. Purchasing advertising time on television and radio or purchasing website advertising could be a substantially larger expense. It is not possible to determine the cost of this campaign due to a lack of knowledge about which public awareness materials will be produced by the MVC and which distribution methods will be chosen.

In addition, the bill should result in a significant increase in the number of persons seeking driver's licenses, increasing the level of activity and underlying operational costs for the agency as well as additional costs to provide translation services at MVC agencies and to reset the three non-english languages used every five years. These volume and translation-based costs will be ongoing annual increases in agency cost. The magnitude of these costs is indeterminate, absent data on current and future unlicensed drivers and MVC choices to manage workload increases and new requirements.

The bill will result in increased revenue from the expected significant increase in the number of persons seeking driver's licenses; increased fees for REAL ID compliant licenses; fines for falsifying license applications; and fines for disclosing customer documents and personal information protected under the bill. The primary revenue driver will be the increase in customer volume and the increase in REAL ID fees. The magnitude of that increase is indeterminate due to a lack of information about demand for REAL ID and new licenses, respectively, and whether the chief administrator will exercise power granted to waive duplicate ID fees through October 2020.

The additional revenue from newly eligible applicants is indeterminate due to a lack of information. US Census population estimates for 2018 suggest that the State has a population of about 7 million people over the age of 18 in New Jersey. This suggests that there are roughly 500,000 unlicensed adults in the State. The reason those people are unlicensed is unclear and whether they will choose to obtain a license as a result of this bill is also unclear.

Growth in the number of REAL ID applicants is expected under current law. There are a variety of ways in which a person can shift from an existing standard identification to a REAL ID. REAL ID applications where the current identification has multiple years before expiration, will be processed as a request for a duplicate ID and be charged the duplicate identification fee of \$11. The MVC would realize \$11 in revenue per person who exercises this option; however the chief administrator is empowered under the bill to waive these fees. If the fees are waived, the MVC would realize no new revenue. After the right to waive expires, revenue will increase by indeterminate amounts.

If a person has a license that is soon to expire, the person will have to go through the license renewal process and the expiration date of their new license will be 48 months following the renewal. If a person decides to renew their standard license, they will be subject to the same \$24 renewal fee as under current law and it would have no revenue impact. If a person decides to obtain a REAL ID upon renewal, they will be subject to the new \$35 fee, and the MVC will realize an extra \$11 per person for each of these renewals. The OLS does not have information about the distribution of license expiration dates or a way to determine which people will choose to maintain their standard identification and which will obtain REAL ID, so the revenue impact is indeterminate. The State has 6.5 million licensed drivers currently, so over the entire 48 month



period in which licenses are valid, the impact could be up to \$71.5 million every four years if every single driver were to adopt REAL ID.

The bill may ultimately cause an increase in revenue by granting the chief administrator the power to raise license fees through administrative action. The MVC is permitted under current law to increase fees through administrative action, but no more frequently than once every five years. Additionally, the MVC is required to set the fees at a level equal to or less than the actual cost to the MVC for the service and document for which the fee is collected. In this case that would mean that any new license fee cannot exceed the cost to the MVC of producing the actual license, including the management of the license making software and other data activities the State is required to administer in relation to the licensing of drivers. The amount of potential revenue is indeterminate since it is based on future choices by the chief administrator.

The bill also may result in additional State fine revenue of indeterminate amounts from violations of new prohibitions on disclosing documents and personal information collected by the MVC, fines for submitting false documents on driver's license applications. It is unclear how many, if any, violations of these prohibitions are likely to occur. If violations do occur, then these fines would be realized as increased State revenue.

*Section: Authorities, Utilities, Transportation and Communications*

*Analyst: Patrick Brennan  
Principal Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# SENATE, No. 3229

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator JOSEPH P. CRYAN**

**District 20 (Union)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

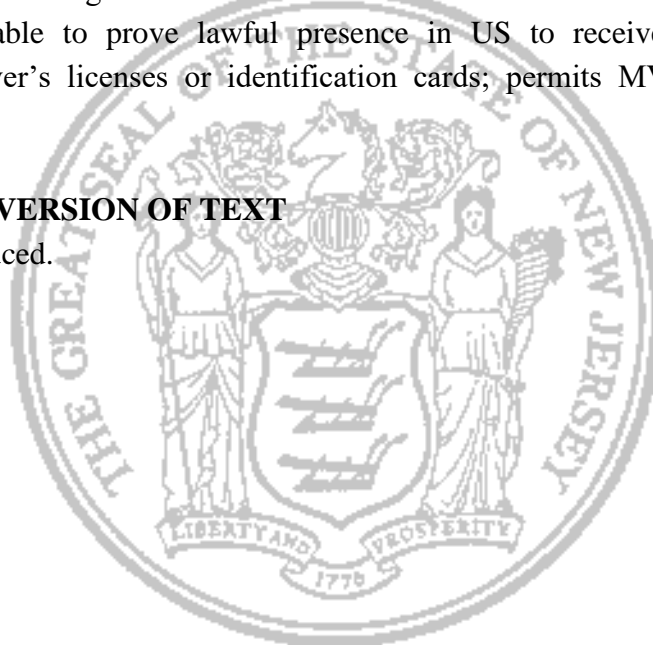
**Senators Weinberg, Diegnan, Sacco, Stack and Cunningham**

**SYNOPSIS**

Creates two categories of driver's licenses and identification cards; allows residents unable to prove lawful presence in US to receive permits, and standard driver's licenses or identification cards; permits MVC to increase certain fees.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/25/2019)**

1 AN ACT concerning documents, driver's licenses, and non-driver  
2 identification cards provided by the New Jersey Motor Vehicle  
3 Commission, amending various parts of the statutory law, and  
4 supplementing Title 39 of the Revised Statutes.

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

8  
9 1. R.S.39:1-1 is amended to read as follows:

10 39:1-1. As used in this subtitle, unless other meaning is clearly  
11 apparent from the language or context, or unless inconsistent with  
12 the manifest intention of the Legislature:

13 "Alley" means a public highway wherein the roadway does not  
14 exceed 12 feet in width.

15 "Authorized emergency vehicles" means vehicles of the fire  
16 department, police vehicles and such ambulances and other vehicles  
17 as are approved by the chief administrator when operated in  
18 response to an emergency call.

19 "Autocycle" means a three-wheeled motorcycle designed to be  
20 controlled with a steering wheel and pedals in which the operator  
21 and passenger may ride in a completely or partially enclosed seating  
22 area that is equipped with a roll cage or roll hoops, safety seat belts  
23 for each occupant, and anti-lock brakes.

24 "Automobile" includes all motor vehicles except motorcycles.

25 "Berm" means that portion of the highway exclusive of roadway  
26 and shoulder, bordering the shoulder but not to be used for  
27 vehicular travel.

28 "Business district" means that portion of a highway and the  
29 territory contiguous thereto, where within any 600 feet along such  
30 highway there are buildings in use for business or industrial  
31 purposes, including but not limited to hotels, banks, office  
32 buildings, railroad stations, and public buildings which occupy at  
33 least 300 feet of frontage on one side or 300 feet collectively on  
34 both sides of the roadway.

35 "Car pool" means two or more persons commuting on a daily  
36 basis to and from work by means of a vehicle with a seating  
37 capacity of nine passengers or less.

38 "Chief Administrator" or "Administrator" means the Chief  
39 Administrator of the New Jersey Motor Vehicle Commission.

40 "Commercial motor vehicle" includes every type of motor-driven  
41 vehicle used for commercial purposes on the highways, such as the  
42 transportation of goods, wares and merchandise, excepting such  
43 vehicles as are run only upon rails or tracks and vehicles of the  
44 passenger car type used for touring purposes or the carrying of farm  
45 products and milk, as the case may be.

**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 "Commission" means the New Jersey Motor Vehicle  
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-  
3 4).

4 "Commissioner" means the Commissioner of Transportation of  
5 this State.

6 "Commuter van" means a motor vehicle having a seating  
7 capacity of not less than seven nor more than 15 adult passengers,  
8 in which seven or more persons commute on a daily basis to and  
9 from work and which vehicle may also be operated by the driver or  
10 other designated persons for their personal use.

11 "Crosswalk" means that part of a highway at an intersection,  
12 either marked or unmarked existing at each approach of every  
13 roadway intersection, included within the connections of the lateral  
14 lines of the sidewalks on opposite sides of the highway measured  
15 from the curbs or, in the absence of curbs, from the edges of the  
16 shoulder, or, if none, from the edges of the roadway; also, any  
17 portion of a highway at an intersection or elsewhere distinctly  
18 indicated for pedestrian crossing by lines or other marking on the  
19 surface.

20 "Curb extension" or "bulbout" means a horizontal extension of  
21 the sidewalk into the street which results in a narrower roadway  
22 section.

23 "Dealer" includes every person actively engaged in the business  
24 of buying, selling or exchanging motor vehicles or motorcycles and  
25 who has an established place of business.

26 "Deputy Chief Administrator" means the deputy chief  
27 administrator of the commission.

28 "Driver" means the rider or driver of a horse, bicycle or  
29 motorcycle or the driver or operator of a motor vehicle, unless  
30 otherwise specified.

31 "Explosives" means any chemical compound or mechanical  
32 mixture that is commonly used or intended for the purpose of  
33 producing an explosion and which contains any oxidizing and  
34 combustive units or other ingredients in such proportions, quantities  
35 or packing that an ignition by fire, friction, by concussion, by  
36 percussion, or by detonator of any part of the compound or mixture  
37 may cause such a sudden generation of highly heated gases that the  
38 resultant gaseous pressures are capable of producing destructive  
39 effects on contiguous objects or of destroying life or limb.

40 "Farm tractor" means every motor vehicle designed and used  
41 primarily as a farm implement for drawing plows, mowing  
42 machines, and other implements of husbandry.

43 "Flammable liquid" means any liquid having a flash point below  
44 200 degrees Fahrenheit, and a vapor pressure not exceeding 40  
45 pounds.

46 "Gross weight" means the combined weight of a vehicle and a  
47 load thereon.

48 "High occupancy vehicle" or "HOV" means a vehicle which is  
49 used to transport two or more persons and shall include public

1 transportation, car pool, van pool, and other vehicles as determined  
2 by regulation of the Department of Transportation.

3 "Highway" means the entire width between the boundary lines of  
4 every way publicly maintained when any part thereof is open to the  
5 use of the public for purposes of vehicular travel.

6 "Horse" includes mules and all other domestic animals used as  
7 draught animals or beasts of burden.

8 "Inside lane" means the lane nearest the center line of the  
9 roadway.

10 "Intersection" means the area embraced within the prolongation  
11 of the lateral curb lines or, if none, the lateral boundary lines of two  
12 or more highways which join one another at an angle, whether or  
13 not one such highway crosses another.

14 "Laned roadway" means a roadway which is divided into two or  
15 more clearly marked lanes for vehicular traffic.

16 "Leased limousine" means any limousine subject to regulation in  
17 the State which:

18 a. Is offered for rental or lease, without a driver, to be operated  
19 by a limousine service as the lessee, for the purpose of carrying  
20 passengers for hire; and

21 b. Is leased or rented for a period of one year or more  
22 following registration.

23 "Leased motor vehicle" means any motor vehicle subject to  
24 registration in this State which:

25 a. Is offered for rental or lease, without a driver, to be operated  
26 by the lessee, his agent or servant, for purposes other than the  
27 transportation of passengers for hire; and

28 b. Is leased or rented for a period of one year or more  
29 following registration.

30 "Limited-access highway" means every highway, street, or  
31 roadway in respect to which owners or occupants of abutting lands  
32 and other persons have no legal right of access to or from the same  
33 except at such points only and in such manner as may be  
34 determined by the public authority having jurisdiction over such  
35 highway, street, or roadway; and includes any highway designated  
36 as a "freeway" or "parkway" by authority of law.

37 "Local authorities" means every county, municipal and other  
38 local board or body having authority to adopt local police  
39 regulations under the Constitution and laws of this State, including  
40 every county governing body with relation to county roads.

41 "Low-speed vehicle" means a four-wheeled low-speed vehicle,  
42 as defined in 49 **[CFR]** C.F.R. s.571.3(b), whose attainable speed is  
43 more than 20 miles per hour but not more than 25 miles per hour on  
44 a paved level surface and which is not powered by gasoline or  
45 diesel fuel and complies with federal safety standards as set forth in  
46 49 **[CFR]** C.F.R. s.571.500.

47 "Magistrate" means any municipal court and the Superior Court,  
48 and any officer having the powers of a committing magistrate and  
49 the chief administrator.

1 "Manufacturer" means a person engaged in the business of  
2 manufacturing or assembling motor vehicles, who will, under  
3 normal business conditions during the year, manufacture or  
4 assemble at least 10 new motor vehicles.

5 "Metal tire" means every tire the surface of which in contact with  
6 the highway is wholly or partly of metal or other hard nonresilient  
7 material.

8 "Mid-block crosswalk" means a crosswalk located away from an  
9 intersection, distinctly indicated by lines or markings on the  
10 surface.

11 "Motorized bicycle" means a pedal bicycle having a helper motor  
12 characterized in that either the maximum piston displacement is less  
13 than 50 cc. or said motor is rated at no more than 1.5 brake  
14 horsepower or is powered by an electric drive motor and said  
15 bicycle is capable of a maximum speed of no more than 25 miles  
16 per hour on a flat surface.

17 "Motorcycle" includes motorcycles, autocycles, motor bikes,  
18 bicycles with motor attached and all motor-operated vehicles of the  
19 bicycle or tricycle type, except motorized bicycles as defined in this  
20 section, whether the motive power be a part thereof or attached  
21 thereto and having a saddle or seat with driver sitting astride or  
22 upon it or a platform on which the driver stands.

23 "Motor-drawn vehicle" includes trailers, semitrailers, or any  
24 other type of vehicle drawn by a motor-driven vehicle.

25 "Motor vehicle" includes all vehicles propelled otherwise than by  
26 muscular power, excepting such vehicles as run only upon rails or  
27 tracks and motorized bicycles.

28 "Motorized scooter" means a miniature motor vehicle and  
29 includes, but is not limited to, pocket bikes, super pocket bikes,  
30 scooters, mini-scooters, sport scooters, mini choppers, mini  
31 motorcycles, motorized skateboards and other vehicles with motors  
32 not manufactured in compliance with Federal Motor Vehicle Safety  
33 Standards and which have no permanent Federal Safety  
34 Certification stickers affixed to the vehicle by the original  
35 manufacturer. This term shall not include: electric personal  
36 assistive mobility devices, motorized bicycles or low-speed  
37 vehicles; or motorized wheelchairs, mobility scooters or similar  
38 mobility assisting devices used by persons with physical  
39 disabilities, or persons whose ambulatory mobility has been  
40 impaired by age or illness.

41 "Motorized skateboard" means a skateboard that is propelled  
42 otherwise than by muscular power.

43 "Motorized wheelchair" means any motor-driven wheelchair  
44 utilized to increase the independent mobility, in the activities of  
45 daily living, of an individual who has limited or no ambulation  
46 abilities, and includes mobility scooters manufactured specifically  
47 for such purposes and designed primarily for indoor use.

1 "Noncommercial truck" means every motor vehicle designed  
2 primarily for transportation of property, and which is not a  
3 "commercial vehicle."

4 "Official traffic control devices" means all signs, signals,  
5 markings, and devices not inconsistent with this subtitle placed or  
6 erected by authority of a public body or official having jurisdiction  
7 for the purpose of regulating, warning, or guiding traffic.

8 "Omnibus" includes all motor vehicles used for the  
9 transportation of passengers for hire, except commuter vans and  
10 vehicles used in ridesharing arrangements and school buses, if the  
11 same are not otherwise used in the transportation of passengers for  
12 hire.

13 "Operator" means a person who is in actual physical control of a  
14 vehicle or street car.

15 "Outside lane" means the lane nearest the curb or outer edge of  
16 the roadway.

17 "Owner" means a person who holds the legal title of a vehicle, or  
18 if a vehicle is the subject of an agreement for the conditional sale or  
19 lease thereof with the right of purchase upon performance of the  
20 conditions stated in the agreement and with an immediate right of  
21 possession vested in the conditional vendee or lessee, or if a  
22 mortgagor of a vehicle is entitled to possession, then the conditional  
23 vendee, lessee or mortgagor shall be deemed the owner for the  
24 purpose of this subtitle.

25 "Parking" means the standing or waiting on a street, road or  
26 highway of a vehicle not actually engaged in receiving or  
27 discharging passengers or merchandise, unless in obedience to  
28 traffic regulations or traffic signs or signals.

29 "Passenger automobile" means all automobiles used and  
30 designed for the transportation of passengers, other than omnibuses  
31 and school buses.

32 "Pedestrian" means a person afoot.

33 "Person" includes natural persons, firms, copartnerships,  
34 associations, and corporations.

35 "Pneumatic tire" means every tire in which compressed air is  
36 designed to support the load.

37 "Pole trailer" means every vehicle without motive power  
38 designed to be drawn by another vehicle and attached to the towing  
39 vehicle by means of a reach, or pole, or by being boomed or  
40 otherwise secured to the towing vehicle, and ordinarily used for  
41 transporting long or irregularly shaped loads, such as poles, pipes,  
42 or structural members capable, generally, of sustaining themselves  
43 as beams between the supporting connections.

44 "Private road or driveway" means every road or driveway not  
45 open to the use of the public for purposes of vehicular travel.

46 "Railroad train" means a steam engine, electric or other motor,  
47 with or without cars coupled thereto, operated upon rails, except  
48 street cars.

1       “REAL ID basic driver’s license” means a basic driver’s license  
2 issued by the commission that complies with the provisions of the  
3 “REAL ID Act of 2005,” Pub.L.109-13, any acts amendatory or  
4 supplementary thereto, and any federal regulations adopted  
5 thereunder.

6       “REAL ID identification card” means an identification card  
7 issued by the commission that complies with the provisions of the  
8 “REAL ID Act of 2005,” Pub.L.109-13, any acts amendatory or  
9 supplementary thereto, and any federal regulations adopted  
10 thereunder.

11       “REAL ID license” means any license to operate a motor vehicle  
12 issued by the commission that complies with the provisions of the  
13 “REAL ID Act of 2005,” Pub.L.109-13, any acts amendatory or  
14 supplementary thereto, and any federal regulations adopted  
15 thereunder.

16       “REAL ID motorcycle license” means a motorcycle license  
17 issued by the commission that complies with the provisions of the  
18 “REAL ID Act of 2005,” Pub.L.109-13, any acts amendatory or  
19 supplementary thereto, and any federal regulations adopted  
20 thereunder.

21       “REAL ID probationary license” means a probationary license  
22 issued by the commission that complies with the provisions of the  
23 “REAL ID Act of 2005,” P.L.109-13, any acts amendatory or  
24 supplementary thereto, and any federal regulations adopted  
25 thereunder.

26       "Recreation vehicle" means a self-propelled or towed vehicle  
27 equipped to serve as temporary living quarters for recreational,  
28 camping or travel purposes and used solely as a family or personal  
29 conveyance.

30       "Residence district" means that portion of a highway and the  
31 territory contiguous thereto, not comprising a business district,  
32 where within any 600 feet along such highway there are buildings  
33 in use for business or residential purposes which occupy 300 feet or  
34 more of frontage on at least one side of the highway.

35       "Ridesharing" means the transportation of persons in a motor  
36 vehicle, with a maximum carrying capacity of not more than 15  
37 passengers, including the driver, where such transportation is  
38 incidental to the purpose of the driver. The term shall include such  
39 ridesharing arrangements known as car pools and van pools.

40       "Right-of-way" means the privilege of the immediate use of the  
41 highway.

42       "Road tractor" means every motor vehicle designed and used for  
43 drawing other vehicles and not so constructed as to carry any load  
44 thereon either independently or any part of the weight of a vehicle  
45 or load so drawn.

46       "Roadway" means that portion of a highway improved, designed,  
47 or ordinarily used for vehicular travel, exclusive of the berm or  
48 shoulder. In the event a highway includes two or more separate



1 roadway, the term "roadway" as used herein shall refer to any such  
2 roadway separately, but not to all such roadways, collectively.

3 "Safety zone" means the area or space officially set aside within  
4 a highway for the exclusive use of pedestrians, which is so plainly  
5 marked or indicated by proper signs as to be plainly visible at all  
6 times while set apart as a safety zone.

7 "School bus" means every motor vehicle operated by, or under  
8 contract with, a public or governmental agency, or religious or other  
9 charitable organization or corporation, or privately operated for the  
10 transportation of children to or from school for secular or religious  
11 education, which complies with the regulations of the New Jersey  
12 Motor Vehicle Commission affecting school buses, including  
13 "School Vehicle Type I" and "School Vehicle Type II" as defined  
14 below:

15 "School Vehicle Type I" means any vehicle designed to transport  
16 16 or more passengers, including the driver, used to transport  
17 enrolled children, and adults only when serving as chaperones, to or  
18 from a school, school connected activity, day camp, summer day  
19 camp, summer residence camp, nursery school, child care center,  
20 preschool center or other similar places of education. Such vehicle  
21 shall comply with the regulations of the New Jersey Motor Vehicle  
22 Commission and either the Department of Education or the  
23 Department of Human Services, whichever is the appropriate  
24 supervising agency.

25 "School Vehicle Type II" means any vehicle designed to  
26 transport less than 16 passengers, including the driver, used to  
27 transport enrolled children, and adults only when serving as  
28 chaperones, to or from a school, school connected activity, day  
29 camp, summer day camp, summer residence camp, nursery school,  
30 child care center, preschool center or other similar places of  
31 education. Such vehicle shall comply with the regulations of the  
32 New Jersey Motor Vehicle Commission and either the Department  
33 of Education or the Department of Human Services, whichever is  
34 the appropriate supervising agency.

35 "School zone" means that portion of a highway which is either  
36 contiguous to territory occupied by a school building or is where  
37 school crossings are established in the vicinity of a school, upon  
38 which are maintained appropriate "school signs" in accordance with  
39 specifications adopted by the chief administrator and in accordance  
40 with law.

41 "School crossing" means that portion of a highway where school  
42 children are required to cross the highway in the vicinity of a  
43 school.

44 "Semitrailer" means every vehicle with or without motive power,  
45 other than a pole trailer, designed for carrying persons or property  
46 and for being drawn by a motor vehicle and so constructed that  
47 some part of its weight and that of its load rests upon or is carried  
48 by another vehicle.

1 "Shipper" means any person who shall deliver, or cause to be  
2 delivered, any commodity, produce or article for transportation as  
3 the contents or load of a commercial motor vehicle. In the case of a  
4 sealed ocean container, "shipper" shall not be construed to include  
5 any person whose activities with respect to the shipment are limited  
6 to the solicitation or negotiation of the sale, resale, or exchange of  
7 the commodity, produce or article within that container.

8 "Shoulder" means that portion of the highway, exclusive of and  
9 bordering the roadway, designed for emergency use but not  
10 ordinarily to be used for vehicular travel.

11 "Sidewalk" means that portion of a highway intended for the use  
12 of pedestrians, between the curb line or the lateral line of a  
13 shoulder, or if none, the lateral line of the roadway and the adjacent  
14 right-of-way line.

15 "Sign." See "Official traffic control devices."

16 "Slow-moving vehicle" means a vehicle run at a speed less than  
17 the maximum speed then and there permissible.

18 "Solid tire" means every tire of rubber or other resilient material  
19 which does not depend upon compressed air for the support of the  
20 load.

21 "Standard" means, when used to describe any license to operate  
22 a motor vehicle or any identification card issued by the commission  
23 under the provisions of this Title, that the issuance of the license or  
24 identification card does not require proof of lawful presence in the  
25 United States.

26 "Street" means the same as highway.

27 "Street car" means a car other than a railroad train, for  
28 transporting persons or property and operated upon rails principally  
29 within a municipality.

30 "Stop," when required, means complete cessation from  
31 movement.

32 "Stopping or standing," when prohibited, means any cessation of  
33 movement of a vehicle, whether occupied or not, except when  
34 necessary to avoid conflict with other traffic or in compliance with  
35 the directions of a police officer or traffic control sign or signal.

36 "Suburban business or residential district" means that portion of  
37 highway and the territory contiguous thereto, where within any  
38 1,320 feet along that highway there is land in use for business or  
39 residential purposes and that land occupies more than 660 feet of  
40 frontage on one side or collectively more than 660 feet of frontage  
41 on both sides of that roadway.

42 "Through highway" means every highway or portion thereof at  
43 the entrances to which vehicular traffic from intersecting highways  
44 is required by law to stop before entering or crossing the same and  
45 when stop signs are erected as provided in this chapter.

46 "Trackless trolley" means every motor vehicle which is propelled  
47 by electric power obtained from overhead trolley wires but not  
48 operated upon rails.

1 "Traffic" means pedestrians, ridden or herded animals, vehicles,  
2 street cars, and other conveyances either singly, or together, while  
3 using any highway for purposes of travel.

4 "Traffic control signal" means a device, whether manually,  
5 electrically, mechanically, or otherwise controlled, by which traffic  
6 is alternately directed to stop and to proceed.

7 "Trailer" means every vehicle with or without motive power,  
8 other than a pole trailer, designed for carrying persons or property  
9 and for being drawn by a motor vehicle and so constructed that no  
10 part of its weight rests upon the towing vehicle.

11 "Truck" means every motor vehicle designed, used, or  
12 maintained primarily for the transportation of property.

13 "Truck tractor" means every motor vehicle designed and used  
14 primarily for drawing other vehicles and not so constructed as to  
15 carry a load other than a part of the weight of the vehicle and load  
16 so drawn.

17 "Van pooling" means seven or more persons commuting on a  
18 daily basis to and from work by means of a vehicle with a seating  
19 arrangement designed to carry seven to 15 adult passengers.

20 "Vehicle" means every device in, upon or by which a person or  
21 property is or may be transported upon a highway, excepting  
22 devices moved by human power or used exclusively upon stationary  
23 rails or tracks or motorized bicycles.

24 (cf: P.L.2016, c.35, s.1)

25

26 2. R.S.39:3-10 is amended to read as follows:

27 39:3-10. A person shall not drive a motor vehicle on a public  
28 highway in this State unless the person is under supervision while  
29 participating in a behind-the-wheel driving course pursuant to  
30 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a  
31 validated permit, or a probationary or basic driver's license issued to  
32 that person in accordance with this article.

33 A person under 18 years of age shall not be issued a basic license  
34 to drive motor vehicles, and a person shall not be issued a validated  
35 permit, including a validated examination permit, until the applicant  
36 has passed a satisfactory examination and other requirements as to  
37 the applicant's ability as an operator. The examination shall  
38 include: a test of the applicant's vision; the applicant's ability to  
39 understand traffic control devices; the applicant's knowledge of safe  
40 driving practices, including the dangers of driving a vehicle in an  
41 aggressive manner, which shall include, but not be limited to,  
42 unexpectedly altering the speed of a vehicle, making improper or  
43 erratic traffic lane changes, disregarding traffic control devices,  
44 failing to yield the right of way, and following another vehicle too  
45 closely; the applicant's knowledge of operating a motor vehicle in a  
46 manner that safely shares the roadway with pedestrians, cyclists,  
47 skaters, riders of motorized-scooters, and other non-motorized  
48 vehicles, which shall include, but not be limited to, passing a cyclist  
49 on the roadway, recognizing bicycle lanes, navigating intersections

1 with pedestrians and cyclists, and exiting a vehicle without  
2 endangering pedestrians and cyclists; the applicant's knowledge of  
3 the effects that ingestion of alcohol or drugs has on a person's  
4 ability to operate a motor vehicle; the applicant's knowledge of the  
5 dangers of carbon monoxide poisoning from motor vehicles and  
6 techniques for the safe operation and proper maintenance of a motor  
7 vehicle; the applicant's knowledge of portions of the mechanism of  
8 motor vehicles as is necessary to insure the safe operation of a  
9 vehicle of the kind or kinds indicated by the applicant; and the  
10 applicant's knowledge of the laws and ordinary usages of the road.  
11 The examination shall be made available in English and each of the  
12 three languages, other than English, most commonly spoken in the  
13 State, as determined by the chief administrator. The chief  
14 administrator shall periodically, and at least every five years, verify  
15 the three languages, other than English, most commonly spoken in  
16 the State.

17 A person shall not sit for an examination for any permit without  
18 exhibiting photo identification deemed acceptable by the  
19 commission, unless that person is a high school student  
20 participating in a course of automobile driving education approved  
21 by the State Department of Education and conducted in a public,  
22 parochial, or private school of this State, pursuant to section 1 of  
23 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the  
24 written law knowledge examination for any person 18 years of age  
25 or older possessing a valid driver's license issued by any other state,  
26 the District of Columbia, or the United States Territories of  
27 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The  
28 commission shall be required to provide that person with a booklet  
29 that highlights those motor vehicle laws unique to New Jersey. A  
30 road test shall be required for a probationary license and serve as a  
31 demonstration of the applicant's ability to operate a vehicle of the  
32 class designated. During the road test, an applicant may use a rear  
33 visibility system, parking sensors, or other technology installed on  
34 the motor vehicle that enables the applicant to view areas directly  
35 behind the vehicle or alerts the applicant of obstacles while parking.

36 A person shall not sit for a road test unless that person exhibits  
37 photo identification deemed acceptable by the commission. A high  
38 school student who has completed a course of behind-the-wheel  
39 automobile driving education approved by the State Department of  
40 Education and conducted in a public, parochial, or private school of  
41 this State, who has been issued a special learner's permit pursuant to  
42 section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003,  
43 shall not be required to exhibit photo identification in order to sit  
44 for a road test. The commission may waive the road test for any  
45 person 18 years of age or older possessing a valid driver's license  
46 issued by any other state, the District of Columbia, or the United  
47 States Territories of American Samoa, Guam, Puerto Rico, or the  
48 Virgin Islands. The road test shall be given on public streets, where  
49 practicable and feasible, but may be preceded by an off-street

1 screening process to assess basic skills. The commission shall  
2 approve locations for the road test which pose no more than a  
3 minimal risk of injury to the applicant, the examiner, and other  
4 motorists. New locations for the road test shall not be approved  
5 unless the test can be given on public streets.

6 A person who successfully completes a road test for a  
7 motorcycle license or a motorcycle endorsement when operating a  
8 motorcycle or motorized scooter with an engine displacement of  
9 less than 231 cubic centimeters shall be issued a motorcycle license  
10 or endorsement restricting the person's operation of the vehicles to  
11 any motorcycle with an engine displacement of 500 cubic  
12 centimeters or less. A person who successfully completes a road  
13 test for a motorcycle license or motorcycle endorsement when  
14 operating a motorcycle with an engine displacement of 231 or more  
15 cubic centimeters shall be issued a motorcycle license or  
16 endorsement without any restriction as to engine displacement.  
17 Any person who successfully completes an approved motorcycle  
18 safety education course established pursuant to the provisions of  
19 section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a  
20 motorcycle license or endorsement without restriction as to engine  
21 displacement.

22 A person issued a motorcycle license pursuant to this section  
23 may be issued a standard motorcycle license or a REAL ID  
24 motorcycle license. In addition to requiring the person to submit  
25 satisfactory proof of identity and age, the commission shall require  
26 the person to provide:

27 (1) as a condition for obtaining a standard motorcycle license,  
28 two documents providing satisfactory proof that the person is a New  
29 Jersey resident and proof of the person's social security number. If  
30 the person does not have a social security number, the person shall  
31 indicate, in a manner prescribed by the commission, that the person  
32 is not eligible to receive a social security number; or

33 (2) as a condition for obtaining a REAL ID motorcycle license:  
34 two documents providing satisfactory proof that the person is a New  
35 Jersey resident; proof of the person's social security number or  
36 verification of ineligibility for a social security number in  
37 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
38 acts amendatory or supplementary thereto, and any federal  
39 regulations adopted thereunder; and proof that the person's  
40 presence in the United States is authorized under federal law.

41 A standard motorcycle license shall indicate that the license shall  
42 not be accepted as identification for an official purpose, as that term  
43 is defined under the "REAL ID Act of 2005," Pub.L.109-13, any  
44 acts amendatory or supplementary thereto, and any federal  
45 regulations adopted thereunder, and shall bear a unique design or  
46 color to indicate that the license shall not be accepted for such  
47 official purpose.

48 The commission shall issue a standard basic driver's license or a  
49 REAL ID basic driver's license to operate a motor vehicle other

1 than a motorcycle to a person over 18 years of age who previously  
2 has not been licensed to drive a motor vehicle in this State or  
3 another jurisdiction only if that person has: (1) operated a passenger  
4 automobile in compliance with the requirements of this Title for not  
5 less than one year, not including any period of suspension or  
6 postponement, from the date of issuance of a probationary license  
7 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been  
8 assessed more than two motor vehicle points; (3) not been convicted  
9 in the previous year for a violation of R.S.39:4-50, section 2 of  
10 P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189  
11 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, section 1 of P.L.2017,  
12 c.165 (C.2C:11-5.3), subsection c. of N.J.S.2C:12-1, or any other  
13 motor vehicle-related violation the commission determines to be  
14 significant and applicable pursuant to regulation; and (4) passed an  
15 examination of the applicant's ability to operate a motor vehicle  
16 pursuant to this section.

17 The commission shall expand the driver's license examination by  
18 20 percent. The additional questions to be added shall consist solely  
19 of questions developed in conjunction with the Department of  
20 Health concerning the use of alcohol or drugs as related to highway  
21 safety. The commission shall develop, in conjunction with the  
22 Department of Health, supplements to the driver's manual which  
23 shall include information necessary to answer any question on the  
24 driver's license examination concerning alcohol or drugs as related  
25 to highway safety.

26 Up to 20 questions may be added to the examination on subjects  
27 to be determined by the commission that are of particular relevance  
28 to youthful drivers, including the importance of operating a motor  
29 vehicle in a manner that safely shares the roadway with pedestrians,  
30 cyclists, skaters, riders of motorized-scooters, and other non-  
31 motorized vehicles, which shall include, but not be limited to,  
32 passing a cyclist on the roadway, recognizing bicycle lanes,  
33 navigating intersections with pedestrians and cyclists, and exiting a  
34 vehicle without endangering pedestrians and cyclists, and the  
35 dangers of driving a vehicle in an aggressive manner, which shall  
36 include, but not be limited to, unexpectedly altering the speed of a  
37 vehicle, making improper or erratic traffic lane changes,  
38 disregarding traffic control devices, failing to yield the right of way,  
39 and following another vehicle too closely, after consultation with  
40 the Director of the Division of Highway Traffic Safety in the  
41 Department of Law and Public Safety.

42 The commission shall expand the driver's license examination to  
43 include a question asking whether the applicant is aware of the  
44 provisions of the "Revised Uniform Anatomical Gift Act,"  
45 P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on  
46 the driver's license the intention to make a donation of body organs  
47 or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

48 The commission shall expand the driver's license examination to  
49 include a question asking whether the applicant is aware of the

1 dangers of failing to comply with this State's motor vehicle traffic  
2 laws and the "STOP for Nikhil Safety Pledge" set forth in  
3 subsection e. of R.S.39:3-41.

4 The commission shall expand the driver's license examination to  
5 include questions concerning the dangers of carbon monoxide  
6 poisoning from motor vehicles and techniques for the safe operation  
7 and proper maintenance of a motor vehicle.

8 Any person applying for a driver's license to operate a motor  
9 vehicle or motorized bicycle in this State shall surrender to the  
10 commission any current driver's license issued to the applicant by  
11 another state or jurisdiction upon the applicant's receipt of a driver's  
12 license for this State. The commission shall refuse to issue a  
13 driver's license if the applicant fails to comply with this provision.

14 An applicant for a permit or license who is **[less than]** under 18  
15 years of age, and who holds a permit or license for a passenger  
16 automobile issued by another state or country that is valid or has  
17 expired within a time period designated by the commission, shall be  
18 subject to the permit and license requirements and penalties  
19 applicable to State permit and license applicants who are of the  
20 same age; except that if the other state or country has permit or  
21 license standards substantially similar to those of this State, the  
22 credentials of the other state or country shall be acceptable.

23 The commission shall create classified licensing of drivers  
24 covering the following classifications:

25 a. Motorcycles, except that for the purposes of this section,  
26 motorcycle shall not include any three-wheeled motor vehicle  
27 equipped with a single cab with glazing enclosing the occupant,  
28 seats similar to those of a passenger vehicle or truck, seat belts and  
29 automotive steering or any vehicle defined as a motorcycle pursuant  
30 to R.S.39:1-1 having a motor with a maximum piston displacement  
31 that is less than 50 cubic centimeters or a motor that is rated at no  
32 more than 1.5 brake horsepower with a maximum speed of no more  
33 than 35 miles per hour on a flat surface.

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

36 c. (Deleted by amendment, P.L.1999, c.28)

37 d. All motor vehicles not included in classifications a. and b. A  
38 license issued pursuant to this classification d. shall be referred to  
39 as the "basic driver's license**[.]**" and may be issued as a standard  
40 basic driver's license or a REAL ID basic driver's license.

41 Every applicant for a license under classification b. shall be a  
42 holder of a basic driver's license. Any issuance of a license under  
43 classification b. shall be by endorsement on the person's basic  
44 driver's license.

45 A driver's license for motorcycles may be issued separately, but  
46 if issued to the holder of a basic driver's license, it shall be by  
47 endorsement on the person's basic driver's license. The holder of a  
48 basic driver's license or a separately issued motorcycle license shall  
49 be authorized to operate a motorcycle having a motor with a

1 maximum piston displacement that is less than 50 cubic centimeters  
2 or a motor that is rated at no more than 1.5 brake horsepower with a  
3 maximum speed no more than 35 miles per hour on a flat surface.

4 The commission, upon payment of the lawful fee and after it or a  
5 person authorized by it has examined the applicant and is satisfied  
6 of the applicant's ability as an operator, may, in its discretion, issue  
7 a license to the applicant to drive a motor vehicle. The license shall  
8 authorize the person to drive any registered vehicle, of the kind or  
9 kinds indicated.

10 The license shall expire, except as otherwise provided, during the  
11 fourth calendar year following the date in which the license was  
12 issued and on the same calendar day as the person's date of birth. If  
13 the person's date of birth does not correspond to a calendar day of  
14 the fourth calendar year, the license shall expire on the last day of  
15 the person's birth month.

16 The commission may, at its discretion and for good cause shown,  
17 issue licenses **【which shall】** that expire on a date fixed by it. If the  
18 commission issues a REAL ID basic driver's license or REAL ID  
19 motorcycle license to a person who has demonstrated authorization  
20 to be present in the United States for a period of time shorter than  
21 the standard period of the license, the commission shall fix the  
22 expiration date of the license at a date based on the period in which  
23 the person is authorized to be present in the United States under  
24 federal immigration laws. The commission may renew the person's  
25 REAL ID basic driver's license or REAL ID motorcycle license  
26 only if it is demonstrated that the person's continued presence in the  
27 United States is authorized under federal law. The fee for licenses  
28 with expiration dates fixed by the commission shall be fixed by the  
29 commission in amounts proportionately less or greater than the fee  
30 herein established.

31 The required fee for a license for the license period shall be as  
32 follows, subject to adjustment pursuant to section 16 of P.L.2007,  
33 c.335 (C.39:2A-36.1):

34 **【Motorcycle】** Standard motorcycle license or endorsement:  
35 \$18.

36 REAL ID motorcycle license: \$29.

37 Omnibus or school bus endorsement: \$18.

38 **【Basic】** Standard basic driver's license: \$18.

39 REAL ID basic driver's license: \$29.

40 The commission shall waive the payment of fees for issuance of  
41 omnibus endorsements whenever an applicant establishes to the  
42 commission's satisfaction that the applicant will use the omnibus  
43 endorsement exclusively for operating omnibuses owned by a  
44 nonprofit organization duly incorporated under Title 15 or 16 of the  
45 Revised Statutes or Title 15A of the New Jersey Statutes.

46 The commission shall issue licenses for the following license  
47 period on and after the first day of the calendar month immediately



1 preceding the commencement of the period, the licenses to be  
2 effective immediately.

3 All applications for renewals of licenses shall be made in a  
4 manner prescribed by the commission and in accordance with  
5 procedures established by it.

6 The commission in its discretion may refuse to grant a permit or  
7 license to drive motor vehicles to a person who is, in its estimation,  
8 not a proper person to be granted a permit or license, but a defect of  
9 the applicant shall not debar the applicant from receiving a permit  
10 or license unless it can be shown by tests approved by the  
11 commission that the defect incapacitates the applicant from safely  
12 operating a motor vehicle.

13 In addition to requiring an applicant for a driver's license to  
14 submit satisfactory proof of identity and age, the commission also  
15 shall require the applicant to provide **[.]**:

16 (1) as a condition for obtaining a permit and standard basic  
17 driver's license, two documents providing satisfactory proof that  
18 the applicant is a New Jersey resident and proof of the applicant's  
19 social security number. If the applicant does not have a social  
20 security number, the applicant shall indicate, in a manner prescribed  
21 by the commission, that the applicant is not eligible to receive a  
22 social security number; or

23 (2) as a condition for obtaining a REAL ID basic driver's  
24 license: two documents providing satisfactory proof that the  
25 applicant is a New Jersey resident; proof of the applicant's social  
26 security number or verification of ineligibility for a social security  
27 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
28 13, any acts amendatory or supplementary thereto, and any federal  
29 regulations adopted thereunder; and proof that the applicant's  
30 presence in the United States is authorized under federal law.

31 A standard basic driver's license shall indicate that the license  
32 shall not be accepted as identification for an official purpose, as that  
33 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
34 any acts amendatory or supplementary thereto, and any federal  
35 regulations adopted thereunder, and shall bear a unique design or  
36 color to indicate that the license shall not be accepted for such  
37 official purpose.

38 If the commission has reasonable cause to suspect that any  
39 document presented by an applicant **[**as proof of identity, age, or  
40 legal residency**]** pursuant to this section is altered, false, or  
41 otherwise invalid, the commission shall refuse to grant the permit or  
42 license until the time when the document may be verified by the  
43 issuing agency to the commission's satisfaction.

44 A person violating this section shall be subject to a fine not  
45 exceeding \$500 or imprisonment in the county jail for not more  
46 than 60 days, but if that person has never been licensed to drive in  
47 this State or any other jurisdiction, the applicant shall be subject to  
48 a fine of not less than \$200 and, in addition, the court shall issue an

1 order to the commission requiring the commission to refuse to issue  
2 a license to operate a motor vehicle to the person for a period of not  
3 less than 180 days. The penalties provided for by this paragraph  
4 shall not be applicable in cases where failure to have actual  
5 possession of the operator's license is due to an administrative or  
6 technical error by the commission.

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

10 Any documents and personal information, including an  
11 applicant's photograph, obtained by the commission from an  
12 applicant for a standard basic driver's license or standard  
13 motorcycle license shall be confidential, shall not be considered a  
14 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),  
15 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning  
16 access to government records, and shall not be disclosed by the  
17 commission for the purpose of investigation, arrest, citation,  
18 prosecution, or detention related to an applicant's citizenship or  
19 immigration status without the consent of the applicant or without a  
20 valid court order or subpoena; except that the commission shall not  
21 be restricted, prohibited, or prevented from maintaining, or sending  
22 to or receiving from federal immigration authorities information  
23 regarding the citizenship or immigration status, lawful or unlawful,  
24 of any individual, pursuant to 8 U.S.C. s.1373 and 8 U.S.C. s.1644.  
25 Any person that knowingly discloses any documents or personal  
26 information in violation of this section shall be guilty of a crime of  
27 the fourth degree.

28 Possession of a standard basic driver's license or standard  
29 motorcycle license issued pursuant to this section shall not be  
30 considered evidence of an individual's citizenship or immigration  
31 status and shall not be used as a basis for an investigation, arrest,  
32 citation, prosecution, or detention.

33 As used in this section:

34 "Parking sensors" means proximity sensors which use either  
35 electromagnetic or ultrasonic technology and are designed to alert  
36 the driver to obstacles while parking.

37 "Rear visibility system" means devices or components installed  
38 on a motor vehicle at the time of manufacture that allow a forward  
39 facing driver to view a visual image of the area directly behind the  
40 vehicle.

41 (cf: P.L.2017, c.374, s.1)

42

43 3. R.S.39:3-31 is amended to read as follows:

44 39:3-31. a. The chief administrator, upon presentation of a  
45 statement duly sworn to, stating that the original registration  
46 certificate or original motorized bicycle registration certificate has  
47 been destroyed, lost or stolen, may, if **[he]** the chief administrator  
48 is satisfied that the facts as set forth in the statement are  
49 substantially true, issue a duplicate or amended registration

1 certificate or motorized bicycle registration certificate to the  
2 original holder thereof, upon the payment to the chief administrator  
3 of a fee of \$5 for each duplicate or amended registration certificate  
4 or motorized bicycle registration certificate so issued. The chief  
5 administrator, upon presentation of a statement, duly sworn to,  
6 stating that the original driver's license has been destroyed, lost or  
7 stolen, or requesting a new color **[picture]** photograph, may, if  
8 **[he]** the chief administrator is satisfied that the facts as set forth in  
9 the statement are substantially true, issue a duplicate driver's license  
10 to the original holder thereof, upon payment to the chief  
11 administrator of a fee of \$5 in addition to the digitized **[picture]**  
12 photograph fee. Notwithstanding any other provision of law to the  
13 contrary, the fee for a duplicate or amended registration certificate  
14 for any new passenger automobile required to be registered for a  
15 48-month term or for any new passenger automobile leased for a  
16 term of more than 12 months pursuant to R.S.39:3-4, shall be \$11.

17 b. The chief administrator may waive the fee imposed for a  
18 duplicate license under subsection a. of this section if the applicant,  
19 at the time of application: is applying for a REAL ID license, as that  
20 term is defined in R.S.39:1-1; currently holds a valid license to  
21 operate a motor vehicle issued by the commission; and is not  
22 eligible to renew the applicant's current license. The chief  
23 administrator's authority to waive the duplicate license fee under  
24 this subsection shall expire on October 1, 2020. In order to receive  
25 a REAL ID license pursuant to this subsection, the applicant shall  
26 first surrender to the commission the applicant's current license to  
27 operate a motor vehicle.

28 (cf: P.L.2004, c.64, s.3)

29

30 4. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read  
31 as follows:

32 1. In addition to the requirements for the form and content of a  
33 motor vehicle driver's license under R.S.39:3-10 and a probationary  
34 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on  
35 and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.),  
36 each initial New Jersey license, each renewal of a New Jersey  
37 driver's license, and each probationary license shall have a digitized  
38 **[color picture]** photograph of the licensee. All licenses issued on  
39 and after January 1, 2000 shall be valid for a period of 48 calendar  
40 months. However, the chief administrator may, at the chief  
41 administrator's discretion, issue licenses and endorsements **[which]**  
42 that shall expire on a date fixed by the chief administrator. The fee  
43 for those licenses or endorsements shall be fixed in amounts  
44 proportionately less or greater than the fee otherwise established.  
45 Notwithstanding the provisions of this section to the contrary, a  
46 person 70 years of age or older may elect to have a license issued  
47 for a period of two or four years, which election shall not be altered  
48 by the chief administrator. The fee for the two-year standard

1 license shall be \$9, in addition to the fee for a digitized **[picture]**  
2 photograph established in section 4 of P.L.2001, c.391 (C.39:3-  
3 10f4). The fee for a two-year REAL ID license shall be \$14.50, in  
4 addition to the fee for a digitized photograph established in section  
5 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may,  
6 for good cause, extend a license and any endorsement thereon  
7 beyond their expiration dates for periods not to exceed 12 additional  
8 months. The chief administrator may extend the expiration date of  
9 a license and any endorsement thereon without payment of a  
10 proportionate fee when the chief administrator determines that the  
11 extension is necessary for good cause. If any license and  
12 endorsements thereon are so extended, the licensee shall pay upon  
13 renewal the full license fee for the period fixed by the chief  
14 administrator as if no extension had been granted.

15 Each initial driver's license issued to a person under the age of  
16 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.)  
17 shall be conspicuously distinct, through the use of color and design,  
18 from the driver's licenses issued to persons 21 years of age or older.  
19 The chief administrator, in consultation with the Superintendent of  
20 State Police, shall determine the color and the manner in which the  
21 license is designed to achieve this result. The license shall **[also]**  
22 bear the words "UNDER 21" in a conspicuous manner. The chief  
23 administrator shall provide that, upon attaining the age of 21, a  
24 licensee shall be issued a replacement driver's license or a new  
25 license, as appropriate. The fee for a replacement license shall be  
26 \$5 in addition to the digitized **[picture]** photograph fee.

27 As conditions for the renewal of a driver's license, the chief  
28 administrator shall provide that the **[picture]** photograph of a  
29 licensee be updated except that the chief administrator may elect to  
30 use a stored **[picture]** photograph to renew a license for a period  
31 not exceeding four additional years for \$18 for a standard license  
32 and \$29 for a REAL ID license, in addition to the digitized  
33 **[picture]** photograph fee.

34 In addition to any other extension, the chief administrator shall  
35 allow a person to use a stored **[picture]** photograph to renew a  
36 license for a period not exceeding one year if the person presents  
37 documentation by a licensed physician that the person is undergoing  
38 medical treatment for an illness and the treatment results in  
39 temporary changes to the person's physical characteristics. The fee  
40 for this extension shall be \$18 for a standard license and \$29 for a  
41 REAL ID license and the person shall not be required to pay the  
42 digitized **[picture]** photograph fee pursuant to section 4 of  
43 P.L.2001, c.391 (C.39:3-10f4).

44 Whenever a person has reconstructive or cosmetic surgery which  
45 significantly alters the person's facial features, the person shall  
46 notify the chief administrator who may require the **[picture]**  
47 photograph of the licensee to be updated for \$5 in addition to the  
48 digitized **[picture]** photograph fee.

1 Nothing in this section shall be construed to alter or change any  
2 expiration date on any New Jersey driver's license issued prior to  
3 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and,  
4 unless a licensee's driving privileges are otherwise suspended or  
5 revoked, except as provided in R.S.39:3-10, that license shall  
6 remain valid until that expiration date.

7 Specific use of the driver's license and any information stored or  
8 encoded, electronically or otherwise, in relation thereto shall be in  
9 accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal  
10 "Driver's Privacy Protection Act of 1994," Pub.L.103-322.  
11 Notwithstanding the provisions of any other law to the contrary, the  
12 digitized **[picture]** photograph or any access thereto or any use  
13 thereof shall not be sold, leased, or exchanged for value.  
14 (cf: P.L.2015, c.306, s.1)

15  
16 5. Section 4 of P.L.2001, c.391 (C.39:3-10f4) is amended to  
17 read as follows:

18 4. The fee for a digitized **[picture]** photograph shall be \$6 for  
19 each license, renewal, or duplicate thereof, and shall be in addition  
20 to the fee presently authorized for the issuance of a driver's license  
21 pursuant to R.S.39:3-10.  
22 (cf: P.L.2001, c.391, s.4)

23  
24 6. R.S.39:3-13 is amended to read as follows:

25 39:3-13. The chief administrator may, in the chief  
26 administrator's discretion, issue to a person over 17 years of age an  
27 examination permit, under the hand and seal of the chief  
28 administrator, allowing such person, for the purpose of fitting the  
29 person to become a licensed driver, to operate a designated class of  
30 motor vehicles other than passenger automobiles and motorcycles  
31 for a specified period of not more than 90 days, while in the  
32 company and under the supervision of a driver licensed to operate  
33 such designated class of motor vehicles.

34 The chief administrator, in the chief administrator's discretion,  
35 may issue for a specified period of not less than one year a  
36 passenger automobile or motorcycle-only examination permit to a  
37 person over 17 years of age regardless of whether a person has  
38 completed a course of behind-the-wheel automobile driving  
39 education pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1).  
40 An examination permit applicant who is under 18 years of age shall  
41 obtain the signature of a parent or guardian for submission to the  
42 commission on a form prescribed by the chief administrator. The  
43 chief administrator shall postpone for six months the driving  
44 privileges of any person who submits a fraudulent signature for a  
45 parent or guardian.

46 For six months immediately following the validation of an  
47 examination permit, and until the holder passes the road test, the  
48 holder who is less than 21 years of age shall operate the passenger  
49 automobile only when accompanied by, and under the supervision

1 of, a New Jersey licensed driver who is at least 21 years of age and  
2 has been licensed to drive a passenger automobile for not less than  
3 three years. The holder of an examination permit who is at least 21  
4 years of age shall operate the passenger automobile for the first  
5 three months under such supervision and until the holder passes the  
6 road test. The supervising driver of the passenger automobile shall  
7 sit in the front seat of the vehicle. Whenever operating a vehicle  
8 while in possession of an examination permit, the holder of the  
9 permit shall operate the passenger automobile with only one  
10 additional passenger in the vehicle excluding dependents of the  
11 permit holder, except that this passenger restriction shall not apply  
12 when the permit holder is at least 21 years of age or when the  
13 permit holder is accompanied by a parent or guardian. Further, the  
14 holder of the passenger automobile permit who is less than 21 years  
15 of age shall not drive during the hours between 11:01 p.m. and 5  
16 a.m.; provided, however, that this condition may be waived for an  
17 emergency which, in the judgment of local police, is of sufficient  
18 severity and magnitude to substantially endanger the health, safety,  
19 welfare, or property of a person, or for any bona fide employment  
20 or religion-related activity if the employer or appropriate religious  
21 authority provides written verification of such activity in a manner  
22 provided for by the chief administrator. The holder of the  
23 examination permit shall not use any hand-held or hands-free  
24 interactive wireless communication device, except in an emergency,  
25 while operating a moving passenger automobile on a public road or  
26 highway. "Use" shall include, but not be limited to, talking or  
27 listening on any hand-held or hands-free interactive wireless  
28 communication device or operating its keys, buttons, or other  
29 controls. The passenger automobile permit holder shall ensure that  
30 all occupants of the vehicle are secured in a properly adjusted and  
31 fastened seat belt or child restraint system.

32 The holder of an examination permit subject to the provisions of  
33 section 1 of P.L.1977, c.23 (C.39:3-10b) shall not operate a  
34 motorcycle at any time from a half-hour after sunset to a half-hour  
35 before sunrise. A motorcycle operated by the holder of an  
36 examination permit shall carry only the operator and shall not be  
37 operated on any toll road over which the New Jersey Turnpike  
38 Authority or the South Jersey Transportation Authority has  
39 jurisdiction or on any limited-access interstate highway.

40 The holder of any examination permit shall not operate a  
41 motorcycle having a motor with a maximum piston displacement  
42 that is less than 50 cubic centimeters or a motor that is rated at no  
43 more than 1.5 brake horsepower with a maximum speed of no more  
44 than 35 miles per hour on a flat surface at anytime from a half-hour  
45 after sunset to a half-hour before sunrise and shall not operate the  
46 motorcycle with any other passenger. The holder of any  
47 examination permit shall not operate such a motorcycle upon  
48 limited-access interstate highways or public roads or highways with  
49 a posted speed limit greater than 35 miles per hour.

1 An applicant for an examination permit subject to the provisions  
2 of section 1 of P.L.1977, c.23 (C.39:3-10b), who is less than 18  
3 years of age, shall be required to successfully complete a  
4 motorcycle safety education course established pursuant to the  
5 provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) as a  
6 condition for obtaining a motorcycle license or endorsement.

7 The chief administrator shall provide the holder of an  
8 examination permit with two removable, transferable, highly  
9 visible, reflective decals indicating that the driver of the vehicle  
10 may be the holder of an examination permit. The decals shall be  
11 designed by the chief administrator, in consultation with the  
12 Division of Highway Traffic Safety in the Department of Law and  
13 Public Safety. The chief administrator may charge a fee for the  
14 decals not to exceed the actual cost of producing and distributing  
15 the decals. The decals shall be displayed in a manner prescribed by  
16 the chief administrator, in consultation with the Division of  
17 Highway Traffic Safety in the Department of Law and Public  
18 Safety, and shall be clearly visible to law enforcement officers. The  
19 holder of an examination permit shall not operate a vehicle unless  
20 the decals are displayed. The decal shall be removed once the  
21 driver's examination permit period has ended.

22 When notified by a court of competent jurisdiction that an  
23 examination permit holder has been convicted of a violation which  
24 causes the permit holder to accumulate more than two motor vehicle  
25 points or has been convicted of a violation of R.S.39:4-50; section 2  
26 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992, c.189  
27 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
28 P.L.2017, c.165 (C.2C:11-5.3)**[,]**; subsection c. of N.J.S.2C:12-1;  
29 or any other motor vehicle-related law the chief administrator  
30 deems significant and applicable pursuant to regulation, in addition  
31 to any other penalty that may be imposed, the chief administrator  
32 shall, without the exercise of discretion or a hearing, suspend the  
33 examination permit holder's examination permit for 90 days. The  
34 chief administrator shall restore the permit following the term of the  
35 permit suspension if the permit holder satisfactorily completes a  
36 remedial training course of not less than four hours which may be  
37 given by the commission, a driving school licensed by the chief  
38 administrator pursuant to section 2 of P.L.1951, c.216 (C.39:12-2),  
39 or any Statewide safety organization approved by the chief  
40 administrator. The course shall be subject to oversight by the  
41 commission according to its guidelines. The permit holder shall  
42 also remit a course fee prior to the commencement of the course.  
43 The chief administrator also shall postpone without the exercise of  
44 discretion or a hearing the issuance of a basic license for 90 days if  
45 the chief administrator is notified by a court of competent  
46 jurisdiction that the examination permit holder, after completion of  
47 the remedial training course, has been convicted of any motor  
48 vehicle violation which results in the imposition of any motor  
49 vehicle points or has been convicted of a violation of R.S.39:4-50;

1 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
2 **【c.182】** c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5**【,】**;  
3 subsection c. of N.J.S.2C:12-1; or any other motor vehicle-related  
4 law the chief administrator deems significant and applicable  
5 pursuant to regulation. When the chief administrator is notified by  
6 a court of competent jurisdiction that an examination permit holder  
7 has been convicted of any alcohol or drug-related offense unrelated  
8 to the operation of a motor vehicle and is not otherwise subject to  
9 any other suspension penalty therefor, the chief administrator shall,  
10 without the exercise of discretion or a hearing, suspend the  
11 examination permit for six months.

12 An examination permit for a motorcycle or a commercial motor  
13 vehicle issued to a person with a disability, as determined by the  
14 New Jersey Motor Vehicle Commission after consultation with the  
15 Department of Education, shall be valid for nine months or until the  
16 completion of the road test portion of the license examination,  
17 whichever period is shorter.

18 Each permit shall be sufficient license for the person to operate  
19 such designated class of motor vehicles in this State during the  
20 period specified, while in the company of and under the control of a  
21 driver licensed by this State to operate such designated class of  
22 motor vehicles, or, in the case of a commercial driver license  
23 permit, while in the company of and under the control of a holder of  
24 a valid commercial driver license for the appropriate license class  
25 and with the appropriate endorsements issued by this or any other  
26 state. Such person, as well as the licensed driver, except for a motor  
27 vehicle examiner administering a driving skills test, shall be held  
28 accountable for all violations of this subtitle committed by such  
29 person while in the presence of the licensed driver.

30 In addition to requiring an applicant for an examination permit to  
31 submit satisfactory proof of identity and age, the chief administrator  
32 also shall require the applicant to provide, as a condition for  
33 obtaining the permit, two documents providing satisfactory proof  
34 that the **【applicant's presence in the United States is authorized**  
35 **under federal law】** applicant is a resident of the State. An applicant  
36 for a commercial driver license permit shall submit satisfactory  
37 proof that the applicant's presence in the United States is authorized  
38 under federal law and proof of the applicant's social security  
39 number pursuant to the "REAL ID Act of 2005," Pub.L.109-13, any  
40 acts amendatory or supplementary thereto, and any federal  
41 regulations adopted thereunder.

42 If the chief administrator has reasonable cause to suspect that  
43 any document presented by an applicant **【as proof of identity, age,**  
44 **or legal residency】** pursuant to this section is altered, false, or  
45 otherwise invalid, the chief administrator shall refuse to grant the  
46 permit until such time as the document may be verified by the  
47 issuing agency to the chief administrator's satisfaction.



1 The holder of an examination permit shall be required to take a  
2 road test in order to obtain a probationary license. No road test for  
3 any person who has been issued an examination permit to operate a  
4 passenger vehicle shall be given unless the person has met the  
5 requirements of this section. No road test for a probationary license  
6 shall be given unless the applicant has first secured an examination  
7 permit and no such road test shall be scheduled for an applicant  
8 who has secured an examination permit for a passenger vehicle or a  
9 motorcycle for which an endorsement is not required until at least  
10 six months for an applicant under 21 years of age or three months  
11 for an applicant 21 years of age or older shall have elapsed  
12 following the validation of the examination permit for practice  
13 driving or, in the case of an examination permit for other vehicles,  
14 until 20 days have elapsed. In the case of an omnibus endorsement  
15 or school bus, no road test shall be scheduled until at least 10 days  
16 shall have elapsed. Every applicant for an examination permit to  
17 qualify for an omnibus endorsement or an articulated vehicle  
18 endorsement shall be a holder of a valid basic driver's license.

19 The required fees for special learner's permits and examination  
20 permits shall be as follows:

21 Basic driver's license.....up to \$10  
22 Motorcycle license or endorsement.....\$ 5  
23 Omnibus or school bus endorsement.....\$25

24 The chief administrator shall waive the payment of fees for  
25 issuance of examination permits for omnibus endorsements  
26 whenever the applicant establishes to the chief administrator's  
27 satisfaction that said applicant will use the omnibus endorsement  
28 exclusively for operating omnibuses owned by a nonprofit  
29 organization duly incorporated under Title 15 or 16 of the Revised  
30 Statutes or Title 15A of the New Jersey Statutes.

31 The specified period for which a permit is issued may be  
32 extended for not more than an additional 60 days, without payment  
33 of an added fee, upon application made by the holder thereof, where  
34 the holder has applied to take the examination for a driver's license  
35 prior to the expiration of the original period for which the permit  
36 was issued and the chief administrator was unable to schedule an  
37 examination during said period.

38 As a condition for the issuance of an examination permit under  
39 this section, the chief administrator shall secure a digitized  
40 **[picture]** photograph of the applicant. The **[picture]** photograph  
41 shall be stored in a manner prescribed by the chief administrator  
42 and may be displayed on the examination permit.

43 The chief administrator may require that whenever a person to  
44 whom an examination permit has been issued has reconstructive or  
45 cosmetic surgery which significantly alters the person's facial  
46 features, the person shall notify the chief administrator who may  
47 require the **[picture]** photograph of the person to be updated.

48 Specific use of the examination permit and any information  
49 stored or encoded, electronically or otherwise, in relation thereto

1 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and  
2 the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-  
3 322. Notwithstanding the provisions of any other law to the  
4 contrary, the digitized **【picture】** photograph or any access thereto or  
5 any use thereof shall not be sold, leased, or exchanged for value.  
6 (cf: P.L.2017, c.165, s.11)

7  
8 7. Section 1 of P.L.1950, c.127 (C.39:3-13.1) is amended to  
9 read as follows:

10 1. The Chief Administrator of the New Jersey Motor Vehicle  
11 Commission may issue to a person over 16 years of age a special  
12 learner's permit, under the hand and seal of the chief administrator,  
13 allowing such person, for the purpose of preparing himself to  
14 qualify for a probationary license for a passenger automobile by  
15 operating a dual pedal controlled motor vehicle while taking a  
16 required course of behind-the-wheel automobile driving education  
17 approved by the State Department of Education and conducted in a  
18 public, parochial, or private school of this State or a course of  
19 behind-the-wheel automobile driving instruction conducted by a  
20 drivers' school duly licensed pursuant to the provisions of P.L.1951,  
21 c.216 (C.39:12-1 et seq.). The special learner's permit shall be  
22 issued in lieu of the examination permit provided for in R.S.39:3-  
23 13.

24 In addition to requiring an applicant for a permit to submit  
25 satisfactory proof of identity and age, the chief administrator also  
26 shall require the applicant to provide, as a condition for obtaining a  
27 permit, two documents providing satisfactory proof that the  
28 **【applicant's presence in the United States is authorized under**  
29 **federal law】** applicant is a resident of the State.

30 If the chief administrator has reasonable cause to suspect that  
31 any document presented by an applicant **【as proof of identity, age**  
32 **or legal residency】** pursuant to this section is altered, false or  
33 otherwise invalid, the chief administrator shall refuse to grant the  
34 permit until such time as the document may be verified by the  
35 issuing agency to the chief administrator's satisfaction.

36 The special learner's permit described above, when issued to a  
37 person taking a course of behind-the-wheel driving education  
38 conducted in a public, parochial, or private school, shall be retained  
39 in the office of the school principal at all times except during such  
40 time as the person to whom the permit is issued is undergoing  
41 behind-the-wheel automobile driving instruction. The chief  
42 administrator may make such rules and regulations as he may deem  
43 necessary to carry out the provisions of this section.

44 (cf: P.L.2009, c.38, s.7)

45  
46 8. Section 4 of P.L.1950, c.127 (C.39:3-13.4) is amended to  
47 read as follows:

1       4. a. The holder of a special learner's permit shall be entitled  
2 to a probationary driver's license (1) upon attaining the age of 17  
3 years, (2) upon the satisfactory completion of an approved behind-  
4 the-wheel driver training course as indicated upon the face of the  
5 special permit over the signature of the principal of the school or  
6 the person operating the driving school in which the course was  
7 conducted, (3) upon the completion of six months' driving  
8 experience with a validated special learner's permit in compliance  
9 with the provisions of section 6 of P.L.1977, c.25 (C.39:3-13.2a),  
10 and (4) upon passing the road test pursuant to R.S.39:3-10.

11       b. The holder of a probationary license shall be permitted to  
12 operate the passenger automobile with only one additional  
13 passenger in the vehicle besides any dependent of the probationary  
14 license holder, except that this passenger restriction shall not apply  
15 when the holder of the probationary license is at least 21 years of  
16 age or the probationary license holder is accompanied by a parent or  
17 guardian. Further, the holder of the probationary license who is  
18 under 21 years of age shall not drive during the hours between  
19 11:01 p.m. and 5 a.m.; provided however, that this condition may  
20 be waived for an emergency which, in the judgment of local police,  
21 is of sufficient severity and magnitude to substantially endanger the  
22 health, safety, welfare, or property of a person or for any bona fide  
23 employment or religion-related activity if the employer or  
24 appropriate religious authority provides written verification of such  
25 activity in a manner provided for by the chief administrator.

26       c. The holder of the probationary license shall not use any  
27 hand-held or hands-free interactive wireless communication device,  
28 except in an emergency, while operating a moving passenger  
29 automobile on a public road or highway. "Use" shall include, but  
30 not be limited to, talking or listening on any hand-held or hands-  
31 free interactive wireless communication device or operating its  
32 keys, buttons, or other controls. In addition, the holder of the  
33 probationary license shall ensure that all occupants of the vehicle  
34 are secured in a properly adjusted and fastened seat belt or child  
35 restraint system.

36       d. In addition to any other penalties provided under law, the  
37 holder of a probationary license who accumulates more than two  
38 motor vehicle points or is convicted of a violation of R.S.39:4-50;  
39 section 2 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1992,  
40 c.189 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; section 1 of  
41 P.L.2017, c.165 (C.2C:11-5.3); subsection c. of N.J.S.2C:12-1; or  
42 any other motor vehicle law the chief administrator deems to be  
43 significant and applicable pursuant to regulation shall, for the first  
44 violation, be required to satisfactorily complete a remedial training  
45 course of not less than four hours which may be given by the  
46 commission, a driving school licensed by the chief administrator  
47 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any  
48 Statewide safety organization approved by the chief administrator.  
49 The course shall be administered pursuant to rules and regulations

1 promulgated by the chief administrator and subject to oversight by  
2 the commission. The authority of the chief administrator to  
3 suspend, revoke, or deny issuance of an initial or renewal license to  
4 operate a driving school or an instructor's license, and to assess  
5 fines, pursuant to P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to  
6 any violations related to the administration of a remedial training  
7 course. The license holder shall also remit a course fee prior to the  
8 commencement of the course.

9 e. When notified by a court of competent jurisdiction that a  
10 probationary license holder has been convicted of a second or  
11 subsequent violation, in addition to any other penalties provided  
12 under law, the chief administrator shall, without the exercise of  
13 discretion or a hearing, suspend the probationary license for three  
14 months, and shall postpone eligibility for a basic license for an  
15 equivalent period. In addition, when the chief administrator is  
16 notified by a court of competent jurisdiction that a probationary  
17 license holder has been convicted of any alcohol or drug-related  
18 offense unrelated to the operation of a motor vehicle, and he is not  
19 otherwise subject to any other suspension penalty therefor, the chief  
20 administrator shall, without the exercise of discretion or a hearing,  
21 suspend the probationary license for six months.

22 f. The chief administrator shall provide the holder of a  
23 probationary license with two removable, transferable, highly  
24 visible, reflective decals indicating that the driver of the vehicle  
25 may be the holder of a probationary license. The decals shall be  
26 designed by the chief administrator, in consultation with the  
27 Division of Highway Traffic Safety in the Department of Law and  
28 Public Safety. The chief administrator may charge a fee for the  
29 decals not to exceed the actual cost of producing and distributing  
30 the decals. The decals shall be displayed in a manner prescribed by  
31 the chief administrator, in consultation with the Division of  
32 Highway Traffic Safety in the Department of Law and Public  
33 Safety, and shall be clearly visible to law enforcement officers. The  
34 holder of a probationary license shall not operate a vehicle unless  
35 the decals are displayed. The decal shall be removed once the  
36 driver's probationary license period has ended.

37 g. A probationary license may be sent by mail and shall be  
38 clearly identifiable and distinguishable in appearance from a basic  
39 license by any name, mark, color, or device deemed appropriate by  
40 the chief administrator.

41 h. A person issued a probationary license pursuant to this  
42 section may be issued a standard probationary license or a REAL  
43 ID probationary license. In addition to requiring an applicant for a  
44 probationary license to submit satisfactory proof of identity and  
45 age, the chief administrator shall require the applicant to provide:

46 (1) as a condition for obtaining a standard probationary license,  
47 two documents providing satisfactory proof that the applicant is a  
48 New Jersey resident and proof of the applicant's social security  
49 number. If the applicant does not have a social security number, the

1 applicant shall indicate, in a manner prescribed by the commission,  
2 that the applicant is not eligible to receive a social security number;  
3 or

4 (2) as a condition for obtaining a REAL ID probationary  
5 license: two documents providing satisfactory proof that the  
6 applicant is a New Jersey resident; proof of the applicant's social  
7 security number or verification of ineligibility for a social security  
8 number in accordance with the "REAL ID Act of 2005," Pub.L.109-  
9 13, any acts amendatory or supplementary thereto, and any federal  
10 regulations adopted thereunder; and proof that the applicant's  
11 presence in the United States is authorized under federal law.

12 A standard probationary license shall indicate that the license  
13 shall not be accepted as identification for an official purpose, as that  
14 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
15 any acts amendatory or supplementary thereto, and any federal  
16 regulations adopted thereunder, and shall bear a unique design or  
17 color to indicate that the license shall not be accepted for such  
18 official purpose.

19 If the chief administrator has reasonable cause to suspect that  
20 any document presented by an applicant pursuant to this section is  
21 altered, false, or otherwise invalid, the chief administrator shall  
22 refuse to grant the probationary license until such time as the  
23 document may be verified by the issuing agency to the chief  
24 administrator's satisfaction.

25 i. Any documents and personal information, including an  
26 applicant's photograph, obtained by the commission from an  
27 applicant for a standard probationary license shall be confidential,  
28 shall not be considered a government record pursuant to P.L.1963,  
29 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
30 common law concerning access to government records, and shall  
31 not be disclosed by the commission for the purpose of investigation,  
32 arrest, citation, prosecution, or detention related to an applicant's  
33 citizenship or immigration status without the consent of the  
34 applicant or without a valid court order or subpoena; except that the  
35 commission shall not be restricted, prohibited, or prevented from  
36 maintaining, or sending to or receiving from federal immigration  
37 authorities information regarding the citizenship or immigration  
38 status, lawful or unlawful, of any individual, pursuant to 8 U.S.C.  
39 s.1373 and 8 U.S.C. s.1644. Any person that knowingly discloses  
40 any documents or personal information in violation of this  
41 subsection shall be guilty of a crime of the fourth degree.

42 Possession of a standard probationary license issued pursuant to  
43 this section shall not be considered evidence of an individual's  
44 citizenship or immigration status and shall not be used as a basis for  
45 an investigation, arrest, citation, prosecution, or detention.

46 (cf: P.L.2017, c.165, s.13)

47

48 9. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read  
49 as follows:

1       2. a. (1) The New Jersey Motor Vehicle Commission shall  
2 issue an identification card to any resident of the State who is 14  
3 years of age or older and who is not the holder of a valid permit or  
4 basic driver's license. The identification card shall attest to the true  
5 name, correct age, and veteran status, upon submission of  
6 satisfactory proof, by any veteran, and shall contain other  
7 identifying data as certified by the applicant for such identification  
8 card. Every application for an identification card shall be signed  
9 and verified by the applicant and shall be accompanied by the  
10 written consent of at least one parent or the person's legal guardian  
11 if the person is under 17 years of age and shall be supported by such  
12 documentary evidence of the age, identity, and veteran status, or  
13 blindness, or disability of such person as the chief administrator  
14 may require. In addition to requiring an applicant for an  
15 identification card to submit satisfactory proof of identity, age, and,  
16 if appropriate, veteran status, the chief administrator also shall  
17 require the applicant to provide **[,]**:

18       (a) as a condition for obtaining **[the]** a standard identification  
19 card, two documents providing satisfactory proof that the applicant  
20 is a New Jersey resident and proof of the applicant's social security  
21 number. If the applicant does not have a social security number, the  
22 applicant shall indicate, in a manner prescribed by the commission,  
23 that the applicant is not eligible to receive a social security number;  
24 or

25       (b) as a condition for obtaining a REAL ID identification card:  
26 two documents providing satisfactory proof that the applicant is a  
27 New Jersey resident; proof of the applicant's social security number  
28 or verification of ineligibility for a social security number in  
29 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any  
30 acts amendatory or supplementary thereto, and any federal  
31 regulations adopted thereunder; and proof that the applicant's  
32 presence in the United States is authorized under federal law.

33       Any documents and personal information, including an  
34 applicant's photograph, obtained by the commission from an  
35 applicant for a standard identification card shall be confidential,  
36 shall not be considered a government record pursuant to P.L.1963,  
37 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the  
38 common law concerning access to government records, and shall  
39 not be disclosed by the commission for the purpose of investigation,  
40 arrest, citizenship, prosecution, or detention related to an  
41 applicant's citizenship or immigration status without the consent of  
42 the applicant or without a valid court order or subpoena; except that  
43 the commission shall not be restricted, prohibited, or prevented  
44 from maintaining, or sending to or receiving from federal  
45 immigration authorities information regarding the citizenship or  
46 immigration status, lawful or unlawful, of any individual, pursuant  
47 to 8 U.S.C. s.1373 and 8 U.S.C. s.1644. Any person that knowingly  
48 discloses any documents or personal information in violation of this  
49 subsection shall be guilty of a crime of the fourth degree.

1       Possession of a standard identification card issued pursuant to  
2 this section shall not be considered evidence of an individual's  
3 citizenship or immigration status and shall not be used as a basis for  
4 an investigation, arrest, citation, prosecution, or detention.

5       If the chief administrator has reasonable cause to suspect that  
6 any document presented by an applicant [as proof of identity, age,  
7 veteran status, or legal residency] pursuant to this section is altered,  
8 false or otherwise invalid, the chief administrator shall refuse to  
9 grant the identification card until such time as the document may be  
10 verified by the issuing agency to the chief administrator's  
11 satisfaction.

12       (2) In addition to the requirements for the form and content of  
13 an identification card pursuant to this section, the Chief  
14 Administrator of the New Jersey Motor Vehicle Commission shall,  
15 upon submission of satisfactory proof, designate on an  
16 identification card that the card holder is a Gold Star Family  
17 member. The commission shall provide to the Department of  
18 Military and Veterans' Affairs personal identifying information for  
19 any person issued an identification card with a Gold Star Family  
20 designation pursuant to this section.

21       b. The designation of veteran status on an identification card  
22 shall not be deemed sufficient valid proof of veteran status for  
23 official governmental purposes when any other statute, or any  
24 regulation or other directive of a governmental entity, requires  
25 documentation of veteran status.

26       c. For the purpose of this section:

27       "Gold Star Family member" means a spouse, domestic partner,  
28 partner in a civil union, parent, brother, sister, child, legal guardian,  
29 or other legal custodian, whether of the whole or half blood or by  
30 adoption, of a member of the Armed Forces of the United States or  
31 National Guard, who lost his or her life while on active duty for the  
32 United States.

33       "REAL ID identification card" shall have the same meaning as  
34 provided in R.S.39:1-1.

35       "Veteran" means a person who has been honorably discharged  
36 from the active military service of the United States; and

37       "Satisfactory proof" means, in the case of a veteran, a copy of  
38 form DD-214 or federal activation orders showing service under  
39 Title 10, section 672 or section 12301, of the United States Code, or  
40 a county veteran identification card only if issuance of the card  
41 requires a copy of form DD-214 discharge papers or approved  
42 separation forms as outlined by all branches of the military and duly  
43 recorded by the county clerk's office. In the case of a Gold Star  
44 Family member, satisfactory proof includes any or all of the  
45 following:

46       (1) a certification from the Department of New Jersey of  
47 American Gold Star Mothers, Inc., or any other organization formed  
48 for the support of family members of members of the Armed Forces  
49 of the United States or National Guard, who lost their lives while on

1 active duty for the United States, that the applicant is either the  
2 spouse, domestic partner, partner in a civil union, parent, brother,  
3 sister, child, legal guardian, or other legal custodian, whether of the  
4 whole or half blood or by adoption, of a member of the armed  
5 forces or National Guard who died while on active duty for the  
6 United States; or

7 (2) (a) documentation deemed acceptable by the Adjutant  
8 General, including, but not limited to, a federal DD Form 1300,  
9 Report of Casualty, or a federal DD Form 2064, Certificate of  
10 Death Overseas, which identifies the member of the Armed Forces  
11 of the United States or National Guard who died while on active  
12 duty for the United States; and

13 (b) documentation indicating the applicant's relationship to the  
14 service member.

15 (cf: P.L.2017, c.175, s.7)

16

17 10. Section 3 of P.L.1980, c.47 (C.39:3-29.4) is amended to read  
18 as follows:

19 3. Every identification card authorized by section 2 of **[this**  
20 **act]** P.L.1980, c.47 (C.39:3-29.3) shall bear a color **[picture]**  
21 photograph of the person to whom it is issued and shall be issued  
22 upon the **[standard license]** form prescribed by the **[Division of**  
23 **Motor Vehicles]** New Jersey Motor Vehicle Commission for color  
24 **[picture]** photograph drivers' licenses, except that the card shall  
25 prominently contain the words "For Identification Only." A  
26 standard identification card shall indicate that the identification card  
27 shall not be accepted as identification for an official purpose, as that  
28 term is defined under the "REAL ID Act of 2005," Pub.L.109-13,  
29 any acts amendatory or supplementary thereto, and any federal  
30 regulations adopted thereunder, and shall bear a unique design or  
31 color to indicate that the identification card shall not be accepted for  
32 such official purpose.

33 (cf: P.L.1999, c.28, s.7)

34

35 11. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read  
36 as follows:

37 4. a. Except as provided in subsection b. of this section, each  
38 original identification card authorized by section 2 of P.L.1980,  
39 c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise  
40 provided, expire during the fourth calendar year following its date  
41 of issuance and on the same calendar day as the person's date of  
42 birth. If the date of birth of the bearer of the identification card  
43 does not correspond to a calendar day of the fourth calendar year,  
44 the identification card shall expire on the last day of the birth month  
45 of the bearer of the card.

46 The identification card shall be renewable upon the request of  
47 the bearer of the card, pursuant to terms of license renewal  
48 established by the New Jersey Motor Vehicle Commission, and



1 upon payment of a fee as required by section 6 of P.L.1980, c.47  
 2 (C.39:3-29.7). An identification card issued pursuant to P.L.1980,  
 3 c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a  
 4 disability shall be valid for the life of the holder unless canceled by  
 5 the holder. Cards issued prior to October 16, 1989 and valid upon  
 6 the effective date of P.L.1990, c.30 shall be valid for the life of the  
 7 holder unless canceled by the holder. Cards issued to persons with  
 8 blindness or disabilities between October 16, 1989 and the effective  
 9 date of P.L.1990, c.30, and which are valid on the effective date of  
 10 P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life  
 11 of the holder unless canceled by the holder, upon presentation of  
 12 proof that the person's blindness or disability existed at the time of  
 13 the original application. The chief administrator is authorized to  
 14 require periodic verification of information included on any  
 15 identification card issued for or valid for the life of the holder.  
 16 Nothing in this section shall be construed to alter or change any  
 17 expiration date on any New Jersey identification card issued prior to  
 18 the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any  
 19 such identification card shall remain valid until its expiration date.

20 b. If the chief administrator issues **【an】 a REAL ID**  
 21 identification card to a person who has demonstrated authorization  
 22 to be present in the United States for a period of time shorter than  
 23 the standard periods of identification cards, the chief administrator  
 24 shall fix the expiration date of the REAL ID identification card at a  
 25 date based on the period in which the person is authorized to be  
 26 present in the United States under federal immigration laws. The  
 27 chief administrator may renew such **【an】 REAL ID** identification  
 28 card only if it is demonstrated that the person's continued presence  
 29 in the United States is authorized under federal law.

30 (cf: P.L.2017, c.131, s.153)

31

32 12. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read  
 33 as follows:

34 6. a. The chief administrator shall charge fees as follows:

35 <u>Standard</u> Identification Card, Original	\$18
36 Identification Card, Duplicate	\$5
37 Identification Card, Renewal	\$18
38 <u>REAL ID Identification Card</u>	<u>\$29</u>
39 Digitized <b>【picture】</b> <u>photograph</u>	\$6, in addition
40	to the fees
41	required above

42 b. The chief administrator may waive the fees established  
 43 under subsection a. of this section for a homeless person who  
 44 submits proof of temporary residence through a social worker or the  
 45 coordinator of an emergency shelter for the homeless where the  
 46 person is temporarily residing. For the purposes of this section,  
 47 "homeless person" means a person without a domicile who is  
 48 unable to secure permanent and stable housing as determined by a

1 social worker or the coordinator of an emergency shelter for the  
2 homeless established pursuant to P.L.1985, c.48 (C.55:13C-1 et  
3 seq.).

4 c. The chief administrator may waive the fee imposed for a  
5 duplicate identification card if the applicant, at the time of  
6 application: is applying for a REAL ID identification card, as that  
7 term is defined in R.S.39:1-1; currently holds a valid identification  
8 card issued by the commission; and is not eligible to renew the  
9 applicant's current identification card. The chief administrator's  
10 authority to waive the duplicate identification card fee under this  
11 subsection shall expire on October 1, 2020. In order to receive a  
12 REAL ID identification card pursuant to this subsection, the  
13 applicant shall first surrender to the commission the applicant's  
14 current identification card.

15 (cf: P.L.2016, c.99, s.1)

16

17 13. Section 15 of P.L.1997, c.151 (C.17:29A-46.2) is amended  
18 to read as follows:

19 15. a. Insurers shall put in writing all underwriting rules  
20 applicable to each rate level utilized pursuant to section 14 of  
21 P.L.1997, c.151 (C.17:29A-46.1). An insurer may take into account  
22 factors, including, but not limited to, driving record characteristics  
23 appropriate for underwriting and classification in formulating its  
24 underwriting rules; provided that no underwriting rule based on  
25 motor vehicle violations shall be formulated in such a manner as to  
26 assign any named insured to a rating tier other than the standard  
27 rating tier applicable to the insured's territory solely on the basis of  
28 accumulating four motor vehicle points or less. No underwriting  
29 rule shall operate in such a manner as to assign a risk to a rating  
30 plan on the basis of the territory in which the insured resides or any  
31 other factor which the commissioner finds is a surrogate for  
32 territory. No underwriting rule shall operate in such a manner as to  
33 assign a risk to a rating plan on the basis of an insured holding a  
34 standard motorcycle license or standard basic driver's license issued  
35 pursuant to R.S.39:3-10, or standard probationary license issued  
36 pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4). An insurer  
37 which knowingly fails to transact automobile insurance consistently  
38 with its underwriting rules shall be subject to a fine of not less than  
39 \$1,000 for each violation.

40 b. All underwriting rules applicable to each rate level as  
41 provided for in section 14 of P.L.1997, c.151 (C.17:29A-46.1) shall  
42 be filed with the commissioner and shall be subject to **[his]** the  
43 commissioner's prior approval. All underwriting rules shall be  
44 subject to public inspection. Except as provided in subsection d. of  
45 section 27 of P.L.1990, c.8 (C.17:33B-15), insurers shall apply their  
46 underwriting rules uniformly and without exception throughout the  
47 State, so that every applicant or insured conforming with the  
48 underwriting rules will be insured or renewed, and so that every

1 applicant not conforming with the underwriting rules will be  
2 refused insurance.

3 c. An insurer with more than one rating plan for private  
4 passenger automobile insurance policies providing identical  
5 coverages shall not adopt underwriting rules which would permit a  
6 person to be insured for private passenger automobile insurance  
7 under more than one of the rating plans.

8 d. An insurer that revises its underwriting rules with respect to  
9 the assignment of insureds to rating tiers based on the number of  
10 accumulated motor vehicle points, as provided by subsection a. of  
11 this section, as amended by P.L.2003, c.89, shall certify to the  
12 commissioner that the revised rule will produce rates that are  
13 revenue neutral based upon the insurer's current coverages and book  
14 of business.

15 (cf: P.L.2003, c.89, s.40)

16

17 14. Section 2 of P.L.1989, c.326 (C.39:3-9b) is amended to read  
18 as follows:

19 2. Each application for a driver's license, or a renewal thereof,  
20 required by R.S.39:3-10 shall contain the street address of the place  
21 of residence **【or business】** of the licensee at the time of application  
22 or renewal. A post office box shall appear on a driver's license  
23 application only as part of a mailing address that is submitted by the  
24 licensee in addition to the street address of the licensee's residence  
25 **【or business】**; provided, however, the **【director】** chief  
26 administrator, upon application, shall permit a person who was a  
27 victim of a violation of **【N.J.S.2C:12-10】** section 1 of P.L.1992,  
28 c.209 (C.2C:12-10), N.J.S.2C:14-2, or **【N.J.S.2C:25-17 et seq.】**  
29 P.L.1991, c.261 (C.2C:25-17 et seq.), or who the **【director】** chief  
30 administrator otherwise determines to have good cause, to use as a  
31 mailing address a post office box, an address other than the  
32 applicant's address or other contact point. A licensee whose last  
33 address appears on the records of the **【division】** commission as a  
34 post office box shall change the address on the application for  
35 renewal to the street address of the licensee's residence **【or**  
36 **business】** and, if different from the street address, **【his】** the  
37 licensee's mailing address unless the **【director】** chief administrator  
38 has determined, pursuant to this section, that the licensee may use a  
39 post office box, an address other than the licensee's address or other  
40 contact point as a mailing address.

41 (cf: P.L.1997, c.189, s.2)

42

43 15. (New section) The holder of a standard basic driver's  
44 license or standard motorcycle license issued pursuant to R.S.39:3-  
45 10, standard probationary license issued pursuant to section 4 of  
46 P.L.1950, c.127 (C.39:3-13.4), and standard identification card  
47 issued pursuant to section 2 of P.L.1980, c.47 (C.39:3-29.3), shall  
48 have the opportunity to obtain employment and to obtain all the

1 accommodations, advantages, facilities, and privileges of any place  
2 of public accommodation, publicly assisted housing accommodation  
3 in which the person meets all qualifications for receipt of the  
4 publicly assisted housing accommodation under State or federal  
5 law, and other real property without discrimination by reason of  
6 holding or presenting a standard basic driver's license, standard  
7 motorcycle license, standard probationary license, or standard  
8 identification card, subject only to conditions and limitations  
9 applicable alike to all persons.

10 Nothing in this section shall be construed to alter an employer's  
11 rights or obligations under 8 U.S.C. s.1324a regarding obtaining  
12 documentation evidencing identity and authorization for  
13 employment. An action taken by an employer that is required by 8  
14 U.S.C. s.1324a shall not constitute a violation of this section.

15

16 16. Section 16 of P.L.2007, c.335 (C.39:2A-36.1) is amended to  
17 read as follows:

18 16. a. On and after the effective date of P.L.2007, c.335  
19 (C.39:2A-36.1 et al.), the board may, by regulation adopted  
20 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
21 (C.52:14B-1 et seq.), increase fees and surcharges collected  
22 pursuant to the following statutes, notwithstanding any law, rule, or  
23 regulation to the contrary:

24 Section 4 of P.L.1995, c.401 (C.12:7-73); section 24 of  
25 P.L.1984, c.152 (C.12:7A-24); section 28 of P.L.1984, c.152  
26 (C.12:7A-28); section 1 of P.L.1983, c.65 (C.17:29A-33); section 6  
27 of P.L.1983, c.65 (C.17:29A-35); section 9 of P.L.1998, c.108  
28 (C.27:5F-42); R.S.39:2-10; section 1 of P.L.1969, c.301 (C.39:3-  
29 4b); section 2 of P.L.1969, c.301 (C.39:3-4c); section 2 of  
30 P.L.1968, c.439 (C.39:3-8.1); section 1 of P.L.1992, c.87 (C.39:3-  
31 8.2); R.S.39:3-10; section 23 of P.L.1975, c.180 (C.39:3-10a);  
32 section 1 of P.L.1977, c.23 (C.39:3-10b); section 1 of P.L.1979,  
33 c.261 (C.39:3-10f); section 22 of P.L.1990, c.103 (C.39:3-10.30);  
34 R.S.39:3-13; R.S.39:3-18; R.S.39:3-19; section 2 of P.L.1974, c.162  
35 (C.39:3-19.2); section 12 of P.L.1979, c.224 (C.39:3-19.5);  
36 R.S.39:3-20; section 1 of P.L.1973, c.319 (C.39:3-20.1); R.S.39:3-  
37 21; R.S.39:3-24; R.S.39:3-25; R.S.39:3-26; section 2 of P.L.1964,  
38 c.195 (C.39:3-27.4); section 2 of P.L.1968, c.247 (C.39:3-27.6);  
39 section 2 of P.L.1977, c.369 (C.39:3-27.9); section 2 of P.L.1979,  
40 c.457 (C.39:3-27.16); section 2 of P.L.1981, c.139 (C.39:3-27.19);  
41 R.S.39:3-28; R.S.39:3-30; R.S.39:3-31; section 1 of P.L.1961, c.77  
42 (C.39:3-31.1); R.S.39:3-32; section 1 of P.L.1999, c.192 (C.39:3-  
43 33a); section 1 of P.L.2001, c.35 (C.39:3-33b); section 2 of  
44 P.L.1959, c.56 (C.39:3-33.4); section 4 of P.L.1959, c.56 (C.39:3-  
45 33.6); R.S.39:3-36; section 1 of P.L.1979, c.314 (C.39:3-54.14);  
46 section 2 of P.L.1999, c.308 (C.39:3-75.2); R.S.39:3-84; section 2  
47 of P.L.1999, c.396 (C.39:3-84.7); section 3 of P.L.1973, c.307  
48 (C.39:3C-3); section 10 of P.L.1983, c.105 (C.39:4-14.3j); section  
49 23 of P.L.1983, c.105 (C.39:4-14.3w); R.S.39:4-26; R.S.39:4-30;

1 section 11 of P.L.1985, c.14 (C.39:4-139.12); section 1 of P.L.1972,  
2 c.38 (C.39:5-30.4); section 31 of P.L.1994, c.60 (C.39:5-36.1);  
3 section 20 of P.L.1952, c.173 (C.39:6-42); section 2 of P.L.1983,  
4 c.141 (C.39:6B-3); R.S.39:7-3; section 3 of P.L.1975, c.156  
5 (C.39:8-11); section 8 of P.L.1975, c.156 (C.39:8-16); section 9 of  
6 P.L.1975, c.156 (C.39:8-17); section 15 of P.L.1975, c.156 (C.39:8-  
7 23); section 5 of P.L.1995, c.112 (C.39:8-45); section 7 of  
8 P.L.1995, c.112 (C.39:8-47); section 12 of P.L.1995, c.112 (C.39:8-  
9 52); section 11 of P.L.1995, c.157 (C.39:8-69); section 13 of  
10 P.L.1995, c.112 (C.39:8-53); section 14 of P.L.1995, c.112 (C.39:8-  
11 54); R.S.39:10-11; R.S.39:10-12; R.S.39:10-14; R.S.39:10-16;  
12 R.S.39:10-19; R.S.39:10-25; section 5 of P.L.1983, c.323 (C.39:10-  
13 35); section 8 of P.L.1983, c.455 (C.39:10A-15); R.S.39:11-8;  
14 section 2 of P.L.1951, c.216 (C.39:12-2); section 5 of P.L.1951,  
15 c.216 (C.39:12-5); and section 2 of P.L.1983, c.360 (C.39:13-2).

16 b. (1) In determining an appropriate increase of any fee or  
17 surcharge pursuant to subsection a. of this section, the board shall  
18 consider at least the following factors: (a) the year in which the fee  
19 or surcharge was last increased; (b) the actual costs to the State of  
20 New Jersey for administering any transaction, process, filing,  
21 registration, inspection, audit, or any license, permit, or other  
22 document issuance, for which the fee or surcharge is collected; and  
23 (c) the annual percentage increase in the Consumer Price Index or  
24 other similar relevant index.

25 No fee or surcharge set forth in this section shall be increased by  
26 regulation more than once during any five-year period, and no such  
27 fee or surcharge shall be increased beyond an amount that exceeds  
28 the actual costs to the State of New Jersey for administering any  
29 transaction, process, filing, registration, inspection, audit, or any  
30 license, permit, or other document issuance, for which the fee or  
31 surcharge is collected.

32 (2) All increases in a fee or surcharge after the first increase  
33 shall also be subject to the following limitation: the increase shall  
34 not exceed the cumulative annual percentage increase in the  
35 Consumer Price Index for the five fiscal years prior to the date of  
36 the proposed subsequent increase.

37 (3) All increases in fees or surcharges imposed by regulation  
38 proposed to be adopted in a calendar year shall be consolidated in  
39 one single regulatory proposal in that calendar year.

40 (4) As used in this section, the "Consumer Price Index" means  
41 the consumer price index for all urban consumers in the New York  
42 City and Philadelphia areas as reported by the Department of Labor  
43 or successor index.

44 c. Pursuant to subsection b. of section 105 of P.L.2003, c.13  
45 (C.39:2A-36), 100 percent of the increased revenues collected from  
46 such increase shall be remitted to the commission.

47 (cf: P.L.2007, c.335, s.16)

- 1       17. Section 2 of P.L.2003, c.13 (C.39:2A-2) is amended to read  
2 as follows:
- 3       2. The Legislature finds and declares that:
- 4       a. The Division of Motor Vehicle Services (DMV) is one of the  
5 State's principal customer service agencies with regular and direct  
6 contact with virtually every citizen;
- 7       b. The DMV has over 15 million contacts a year with the  
8 public, including 39 million transactions, more than any other State  
9 agency;
- 10      c. The DMV has responsibility for issuing and certifying motor  
11 vehicle driver's licenses, ensuring the proper registration of motor  
12 vehicles, as well as conducting safety and emissions inspections of  
13 motor vehicles;
- 14      d. The public expects courteous, efficient and accessible  
15 service from government agencies, including the DMV;
- 16      e. The DMV's failed security systems are contributing to a  
17 growing national problem of identity theft that is costing New  
18 Jersey and the nation millions of dollars each week;
- 19      f. In the past, the DMV has been unable to deal with fraud and  
20 corruption because of inadequate funding, training, security,  
21 internal controls and oversight;
- 22      g. The DMV must improve its security system and equipment,  
23 and its fraud detection, training and monitoring so that fraudulent  
24 driver's licenses, such as those used in the furtherance of terroristic  
25 activities, will be eliminated;
- 26      h. Internal audits and controls and investigations are also  
27 needed to detect patterns of fraud, theft, corruption, identity theft  
28 and mismanagement in the issuance of driver's licenses,  
29 registrations, and titles because DMV documents must be more  
30 resistant to compromise;
- 31      i. Criminals have used counterfeit passports, Social Security  
32 cards, county identification cards, pay stubs and W-2 forms to  
33 obtain fraudulent driver's licenses and identification cards in  
34 furtherance of identity-theft schemes;
- 35      j. Proper identification must be required at all phases of the  
36 licensing and driver testing process to assure that only those persons  
37 qualified to legally obtain licenses do so;
- 38      k. It is essential that DMV records be matched with Social  
39 Security Administration records, when presented, in order to verify  
40 the validity of Social Security numbers in DMV databases;
- 41      l. Cameras, armed security guards, panic buttons, alarms,  
42 safety upgrades, card access systems and door replacements are  
43 needed in order to prevent fraud;
- 44      m. Employees or agents of the DMV should be required to  
45 undergo background checks and fingerprinting;
- 46      n. Cleaning crews and maintenance workers at DMV facilities  
47 must be supervised by DMV employees to ensure the security of  
48 DMV records;

- 1 o. In a time of rapidly changing information technology and  
2 Internet communications, the DMV lacks an information  
3 technology plan to bring it to the 21st Century and still operates on  
4 a decades-old computer network with patchwork hardware,  
5 antiquated software and obsolete display terminals that lack  
6 processing abilities;
- 7 p. Previous DMV efforts to implement complex technological  
8 mandates have failed, due to bureaucratic mismanagement,  
9 inefficient planning and inadequate oversight, as characterized by  
10 reports of the State Commission of Investigation;
- 11 q. The DMV has become a reactive agency, struggling to keep  
12 up with the demands of newly legislated responsibilities, and  
13 without the necessary resources to prevent fraud and corruption at  
14 its front-line agencies and without the ability to provide even  
15 adequate service to its six million customers;
- 16 r. The DMV needs a strategic business plan, which is a key to  
17 the operation of an agency, and must work within the confines of  
18 such plan in an effort to adopt best practices, improve customer  
19 service and gain back the confidence of New Jersey citizens and the  
20 Legislature;
- 21 s. The DMV's privatization of some of its agencies in July  
22 1995 has created poor, disjointed and confused service delivery  
23 without consistency among the agencies in terms of policies and  
24 procedures, which has led to confusion and frustration in the minds  
25 of New Jersey citizens;
- 26 t. The DMV privatization has also resulted in poorly paid  
27 employees who have received inadequate benefits, resulting in a  
28 high turnover rate at DMV agencies;
- 29 u. A major benefit to a State-operated DMV system is the  
30 ability to centralize anti-fraud policies and procedures;
- 31 v. Historically, the privately-operated local motor vehicle  
32 agencies have been plagued with long lines, poor customer service  
33 and inadequate business practices that have routinely caused  
34 network delays and failures for hours at a time;
- 35 w. The DMV would be in a better position to plan for long-term  
36 improvements, replacements and daily operations if it had a  
37 dedicated and consistent source of funding;
- 38 x. In order to address the various problems with the DMV, a  
39 "FIX DMV Commission" was formed on April 25, 2002, by  
40 Governor's Executive Order Number 19 to conduct a comprehensive  
41 review of the DMV and to make recommendations on the  
42 restructuring and reorganization of the agency;
- 43 y. The "FIX DMV Commission" has reported that the DMV is  
44 in crisis and has recommended that a New Jersey Motor Vehicle  
45 Commission be formed in, but not of, the Department of  
46 Transportation to replace the current New Jersey Division of Motor  
47 Vehicles with the purposes of: (1) identifying and regulating drivers  
48 and motor vehicles to deter unlawful and unsafe acts; (2)  
49 identifying and correcting vehicle defects and limiting the amount

1 of vehicle-produced air pollution; (3) focusing on and responding to  
2 customer service and security issues; and (4) effectuating change by  
3 bringing greater attention and resources to the needs of the  
4 organization;

5 z. It is therefore in the public interest to create a New Jersey  
6 Motor Vehicle Commission, the duties of which would include, but  
7 not be limited to: (1) addressing the multitude of functions  
8 assigned to it while curtailing fraudulent and criminal activities that  
9 present threats to the State's security system; (2) following a multi-  
10 year strategic business plan that is constantly reviewed and updated,  
11 thus avoiding the need for the cyclical reforms that have  
12 characterized its history; and (3) conducting operations on a fiscal  
13 year budget, controlling fees sufficient to fund the budget, adopting  
14 regulations regarding processes and fees; and implementing an  
15 annual strategic business plan.

16 (cf: P.L.2003, c.13, s.2)

17

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

19 39:3-41. a. At the time of the issuance of an examination  
20 permit or a special learner's permit to operate a motor vehicle, the  
21 chief administrator shall make available to each applicant for the  
22 examination permit or special learner's permit a driver's manual  
23 containing information required to be known and followed by  
24 licensed drivers relating to licensing requirements.

25 b. At the time of any required examination for renewal of a  
26 driver's license, the chief administrator shall upon request make  
27 available to each applicant for renewal a copy of the manual and  
28 any supplements thereto.

29 c. The driver's manual and any supplements thereto or any  
30 other booklet or writing prepared in connection with examinations  
31 for drivers' licenses or for renewals of drivers' licenses shall contain  
32 all information necessary to answer any question on an examination  
33 for a driver's license or for a renewal of a driver's license.

34 The chief administrator shall publish the driver's manual on the  
35 website of the commission in English and each of the three  
36 languages, other than English, most commonly spoken in the State,  
37 as determined by the chief administrator. The chief administrator  
38 shall periodically, and at least every five years, verify the three  
39 languages, other than English, most commonly spoken in the State.

40 d. The chief administrator, following consultation with the  
41 organ procurement organizations designated pursuant to 42 U.S.C.  
42 s.1320b-8 to serve in the State of New Jersey, shall include in the  
43 driver's manual information explaining the provisions of the  
44 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77  
45 et al.), the beneficial uses of donated organs and tissues, and the  
46 procedure for indicating on the driver's license the intention to  
47 make a donation pursuant to section 1 of P.L.1978, c.181 (C.39:3-  
48 12.2). The chief administrator may distribute all remaining copies



1 of the existing driver's manual before reprinting the manual with the  
2 information required pursuant to this subsection.

3 e. The chief administrator, in consultation with the Nikhil  
4 Badlani Foundation, shall include in the driver's manual  
5 information explaining the dangers of failing to comply with this  
6 State's motor vehicle traffic laws and indicating that interested  
7 drivers may take the STOP for Nikhil Safety Pledge set forth in  
8 paragraph (1) of this subsection.

9 (1) The "STOP for Nikhil Safety Pledge" is as follows:

10 "In order to ensure the safety of others on the road, passengers in  
11 my car, and myself as a driver, I pledge to obey traffic laws while  
12 operating a motor vehicle, be extra cautious, and be attentive to  
13 traffic signs and signals and road conditions. Specifically:

14 I will come to a complete stop at every "stop" sign or red traffic  
15 light, and will not proceed through a red traffic light;

16 I will stay alert, keep two hands on the steering wheel whenever  
17 possible, and keep my mind on the road;

18 I will talk safely by using a hands-free wireless telephone while  
19 driving if I am of lawful age to do so and refrain from texting while  
20 driving; and I will plan ahead and leave enough time to arrive at my  
21 destination."

22 (2) The chief administrator shall ensure that drivers have the  
23 option of taking the pledge set forth in paragraph (1) of this  
24 subsection by filling out a standard form made available at motor  
25 vehicle offices or by following instructions publicized by the chief  
26 administrator directing interested drivers to the appropriate website  
27 to complete the pledge.

28 (3) The chief administrator may distribute all remaining copies  
29 of the existing driver's manual before reprinting the manual with the  
30 information required pursuant to this subsection.

31 f. The chief administrator, in consultation with the  
32 Commissioner of Health and the Director of the Division of  
33 Highway Traffic Safety in the Department of Law and Public  
34 Safety, shall include in the driver's manual information explaining  
35 the dangers of carbon monoxide poisoning from motor vehicles and  
36 techniques for the safe operation and proper maintenance of a motor  
37 vehicle. The chief administrator may distribute all remaining  
38 copies of any existing driver's manual before reprinting the manual  
39 with the information required pursuant to this subsection.

40 (cf: P.L.2016, c.81, s.3)

41

42 19. (New section) The Chief Administrator of the New Jersey  
43 Motor Vehicle Commission, in consultation with the Attorney  
44 General, shall establish a public awareness campaign for the  
45 duration of 24 months following the effective date of P.L. ,  
46 c. (C. ) (pending before the Legislature as this bill) to inform  
47 the general public about the availability of and the requirements to  
48 obtain a standard and REAL ID basic driver's license, motorcycle  
49 license, probationary license, and identification card.

- 1        20. (New section) a. There is created an advisory board to be  
2 known as the “Standard and REAL ID Driver License and  
3 Identification Card Advisory Board.”
- 4        b. The purpose of the advisory board shall be to review the  
5 implementation of the provisions of P.L. , c. (C. ) (pending  
6 before the Legislature as this bill) by the New Jersey Motor Vehicle  
7 Commission and the issuance of standard and REAL ID basic  
8 driver’s licenses, motorcycle licenses, probationary licenses, and  
9 identification cards by the commission. The advisory board shall  
10 provide guidance to the commission concerning public awareness  
11 and education of the differences between standard and REAL ID  
12 basic driver’s licenses, motorcycle licenses, probationary licenses,  
13 and identification cards and how to obtain standard and REAL ID  
14 basic driver’s licenses, motorcycle licenses, probationary licenses,  
15 and identification cards.
- 16        c. The advisory board shall consist of 11 members as follows:  
17        (1) the Chief Administrator of the New Jersey Motor Vehicle  
18 Commission, or the chief administrator’s designee, who shall serve  
19 ex officio;  
20        (2) the Governor’s Chief Counsel, or the chief counsel’s  
21 designee, who shall serve ex officio; and  
22        (3) nine public members as follows:  
23        (a) three members appointed by the Governor;  
24        (b) three members appointed by the Governor upon the  
25 recommendation of the President of the Senate; and  
26        (c) three members appointed by the Governor upon the  
27 recommendation of the Speaker of the General Assembly.
- 28        d. A vacancy in the membership of the advisory board shall be  
29 filled in the same manner provided for the original appointment.
- 30        e. The advisory board shall organize as soon as practicable  
31 following the appointment of its members, and shall select a  
32 chairperson and vice-chairperson from among its members.
- 33        f. The public members of the advisory board shall serve  
34 without compensation, but may be reimbursed for necessary  
35 expenses incurred in the performance of their duties to the extent  
36 that such funds are made available for that purpose.
- 37        g. The New Jersey Motor Vehicle Commission shall provide  
38 staff support to the advisory board as may be necessary for its  
39 purposes. The advisory board shall be entitled to call to its  
40 assistance and avail itself of the services of the employees of any  
41 State, county, or municipal department, board, bureau, commission,  
42 or agency, as it may require and as may be available for its  
43 purposes.
- 44        h. No later than 12 months after the effective date of P.L. ,  
45 c. (C. ) (pending before the Legislature as this bill), the  
46 advisory board shall report to the Governor, and to the Legislature  
47 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its findings  
48 and recommendations. The advisory board shall terminate upon  
49 submission of the report.



1 federal facilities, boarding federally regulated commercial aircraft,  
2 and entering nuclear power plants.

3 The bill removes the requirement that an applicant for an  
4 examination permit or special learner's permit provide proof of  
5 lawful presence in the country and, instead, requires an applicant  
6 for an examination permit or special learner's permit to provide two  
7 documents providing satisfactory proof of residency in New Jersey.  
8 However, an applicant for a commercial driver license permit is  
9 required to submit satisfactory proof that the applicant's presence in  
10 the United States is authorized under federal law and proof of the  
11 applicant's social security number.

12 Under the bill, any documents and personal information obtained  
13 by the MVC from an applicant for a standard license or  
14 identification card is confidential, is not to be considered a  
15 government record, and is not to be disclosed by the MVC for the  
16 purpose of investigation, arrest, citation, prosecution, or detention  
17 related to an applicant's citizenship or immigration status without  
18 the consent of the applicant or without a court order or subpoena.  
19 However, the MVC is not to be restricted, prohibited, or prevented  
20 from maintaining, or sending to or receiving from federal  
21 immigration authorities information regarding citizenship or  
22 immigration status, lawful or unlawful, of any individual pursuant  
23 to certain provisions of federal law. A person that knowingly  
24 discloses any documents or personal information that violates this  
25 provision is guilty of a crime of the fourth degree. A crime of the  
26 fourth degree is punishable by up to 18 months imprisonment and a  
27 maximum fine of \$10,000.

28 The bill provides that possession of a standard license or  
29 identification card is not to be considered evidence of an  
30 individual's citizenship or immigration status and is not to be used  
31 as a basis for an investigation, arrest, citation, prosecution, or  
32 detention.

33 Under the bill, the chief administrator may waive the fee  
34 imposed for a duplicate license and identification card if the  
35 applicant, at the time of application: (1) is applying for a REAL ID  
36 license or REAL ID identification card; (2) currently holds a valid  
37 license to operate a motor vehicle or identification card issued by  
38 the MVC; and (3) is not eligible to renew the applicant's current  
39 license or identification card. The chief administrator's authority to  
40 waive the duplicate fee expires on October 1, 2020. An applicant  
41 for a REAL ID license or REAL ID identification card is required to  
42 surrender to the MVC the applicant's current license or  
43 identification card.

44 The bill provides that the holder of a standard license or  
45 identification card is to have the opportunity to obtain employment,  
46 accommodation, publicly assisted housing accommodation in which  
47 the person meets all qualifications for receipt of the publicly  
48 assisted housing accommodation under State or federal law, and  
49 other real property without discrimination by reason of holding or

1 presenting a standard license or identification card. However, this  
2 provision does not alter an employer's rights and obligations to  
3 obtain documentation evidencing identity and authorization for  
4 employment in accordance with certain provisions of federal law  
5 and an action taken by an employer that is required by a certain  
6 provision of federal law does not constitute a violation of this  
7 nondiscrimination provision.

8 Under the bill, no insurance underwriting rule is to operate in a  
9 way that assigns risk to a rating plan on the basis of the insured  
10 holding a standard license.

11 The bill provides that an application for a driver's license or a  
12 renewal of a driver's license is to contain the street address of the  
13 applicant's residence at the time of application or renewal and is no  
14 longer permitted to contain the applicant's business address.

15 The bill permits the MVC to increase certain driver's license and  
16 endorsement fees by regulation including fees for issuance of a  
17 standard motorcycle license or endorsement, REAL ID motorcycle  
18 license, omnibus or school bus endorsement, standard basic driver's  
19 license, or REAL ID basic driver's license.

20 The bill also requires that the written knowledge examination for  
21 a basic driver's license or validated permit be made available in  
22 English and each of the three languages most commonly spoken in  
23 New Jersey, other than English. The bill also requires the Chief  
24 Administrator of the MVC to publish the driver's manual on the  
25 MVC's website in English and each of the three languages, other  
26 than English, most commonly spoken in New Jersey. The chief  
27 administrator is required to periodically, but at least every five  
28 years, verify the three languages, other than English, most  
29 commonly spoken in New Jersey.

30 The bill requires the Chief Administrator of the MVC to  
31 establish a 24 month public awareness campaign to inform the  
32 public about the availability of and the requirements to obtain a  
33 standard and REAL ID license or identification card.

34 The bill creates the "Standard and REAL ID Driver License and  
35 Identification Card Advisory Board" to review the MVC's  
36 implementation of the provisions of the bill and the issuance of  
37 standard and REAL ID licenses and identification cards. The  
38 advisory board is also to provide guidance to the MVC concerning  
39 public awareness and education of the differences between the  
40 standard and REAL ID licenses and identification cards and how to  
41 obtain standard and REAL ID licenses and identification cards. The  
42 advisory board is required to report to the Governor and Legislature  
43 its findings and recommendations no later than 12 months following  
44 the effective date of the bill. The advisory board terminates upon  
45 the submission of the report.

46 It is the sponsor's intent to improve roadway safety and  
47 Statewide automobile insurance coverage by making driver's  
48 licenses and permits available to any safe driver who meets all of  
49 the requirements relating to the driver's ability to safely operate a

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45

- 1 motor vehicle pursuant to State statute and regulations, and who
- 2 provides proof of identity, qualifying age, and New Jersey
- 3 residency in accordance with the terms of the bill.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 3229**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 12, 2019

The Senate Transportation Committee reports favorably and with committee amendments Senate, No. 3229.

As amended and reported, this bill creates two categories of basic driver's licenses, motorcycle licenses, probationary licenses, permits, and non-driver identification cards (hereinafter referred to collectively as licenses and identification cards). Under the bill, a person may apply for a standard license or identification card or a REAL ID license or identification card.

#### *Establishment of the Point Based Identification Program*

The bill codifies into law the point based identification verification program, commonly known as the "6 Point ID Verification Program," currently employed by the New Jersey Motor Vehicle Commission (MVC) to prove the identity of any applicant for any license or identification card.

#### *Requirements for a Standard License or Identification Card*

To obtain a standard license or identification card, a person is required to provide satisfactory proof of identity and age, proof of the person's social security number, and one document providing proof of residency. If the person applying for a standard license or identification card does not have a social security number, the person is required to provide an Individual Taxpayer Identification Number (I-TIN) or indicate, in a manner prescribed by the MVC and consistent with all other provisions of law, that the person is not eligible to receive a social security number.

As proof of identity, age, and residency, an applicant for a standard license or identification card is required to provide primary and secondary documents, with which the Chief Administrator of the MVC is required to attribute point values in accordance with the "6 Point ID Verification Program." The point total required to prove the identity of an applicant for a standard license or identification card is required to be the same for every applicant. In the event that the MVC changes the point total threshold, the requirement that every applicant reach the same point total threshold will remain in effect.

The bill also requires that a standard license or identification card indicate that the license or identification card is not to be accepted as identification for an official federal purpose. An official federal purpose includes, but is not limited to accessing federal facilities, boarding federally regulated commercial aircraft, and entering nuclear power plants.

#### *Requirements to obtain a REAL ID*

A REAL ID license or identification card is to comply with the provisions of the federal “REAL ID Act of 2005,” any amendatory or supplementary acts, and any federal regulations adopted thereunder.

In addition to requiring an applicant to submit satisfactory proof of identity and age, an applicant for a REAL ID license or identification card is required to submit two documents providing proof of New Jersey residency, proof of the applicant’s social security number or verification of ineligibility for a social security number in accordance with the “REAL ID Act of 2005,” and proof that the applicant’s presence in the United States is authorized under federal law.

#### *Requirements for Permits*

The bill removes the requirement that an applicant for an examination permit or special learner’s permit provide proof of lawful presence in the country. Instead, in addition to identity and age, the bill requires an applicant for an examination permit or special learner’s permit to provide the requisite number of documents providing proof of residency consistent with the type of license for which the applicant applied.

#### *Information Obtained by MVC*

Under the bill, an applicant for a standard license or identification card is only required to provide information or documentation necessary to determine eligibility for the standard license or identification card for which the applicant has applied. This provision does not prohibit voluntary submission of documents as proof of identity. The bill prohibits the MVC from retaining copies, scanned images, or records of any kind of primary or secondary documents submitted to the MVC by an applicant to establish eligibility for a standard license or identification card.

Any documents and personal information obtained by the MVC from an applicant for a standard license or identification card is confidential and is not to be considered a government record and cannot be disclosed for any purpose related to Title 8 of the U.S. Code without the informed consent of the applicant, a warrant signed by a state or federal judge, or a lawful court order or subpoena. The bill also prohibits the MVC from disclosing to any federal, State, or local law enforcement any motor vehicle record that includes personal information for any purposes related to Title 8 of the U.S. Code



without the informed consent of the applicant, a warrant signed by a State or federal judge, or a lawful court order or subpoena.

The bill provides that when responding to a warrant, court order, or subpoena, the commission may disclose only those records or information specifically requested in the warrant, court order, or subpoena. The bill also provides that, with respect to the disclosure of information by the MVC, nothing is to be construed to prohibit, or in any way restrict, any action where such prohibition or restriction would be contrary to federal law.

#### *Fees for Licenses and Identification Cards*

Under the bill, the fee for a REAL ID license or identification card is greater than the fee for a standard license or identification card.

The chief administrator may waive the fee imposed for a duplicate license and identification card if the applicant, at the time of application:

(1) is applying for a REAL ID license or REAL ID identification card;

(2) currently holds a valid license to operate a motor vehicle or identification card issued by the MVC; and

(3) is not eligible to renew the applicant's current license or identification card.

The chief administrator's authority to waive the duplicate fee expires on October 1, 2020. To obtain the fee waiver, an applicant for a REAL ID license or REAL ID identification card is required to surrender to the MVC the applicant's current license or identification card.

The bill permits the MVC to increase certain driver's license and endorsement fees by regulation including fees for issuance of a standard motorcycle license or endorsement, REAL ID motorcycle license, omnibus or school bus endorsement, standard basic driver's license, or REAL ID basic driver's license.

#### *Elimination of Business Address for Licenses*

The bill provides that an application for a driver's license or a renewal of a driver's license is to contain the street address of the applicant's residence at the time of application or renewal and is no longer permitted to contain the applicant's business address. The bill leaves the exception in current law to allow a victim of domestic violence to use a post office box as the address on the person's driver's license.

#### *Ability to Amend Notation on License or Identification Card*

The bill requires MVC to permit a license or identification card holder to amend the notation on the holder's license or identification card to reflect any legal change made in accordance with "Babs

Siperstein Law,” which allows a person to change the person’s gender identity on the person’s birth certificate.

#### *Non-discrimination Provisions*

The bill prohibits a person or entity from discriminating against a person based upon the fact that the person applied for, was issued, holds, or presents a standard license or identification card. The bill entitles the holder of a standard license or identification card to have the opportunity to obtain employment, accommodation, and publicly assisted housing accommodation, for which the person meets all qualifications State or federal law, without discrimination by reason of holding or presenting a standard license or identification card.

The non-discrimination provisions of the bill are also to apply to the State, any political subdivision of the State, any agency or instrumentality of the State, and to any political subdivision of the State, and the employees, officers, or officials thereof, including law enforcement officers.

This provision does not alter an employer’s rights and obligations to obtain documentation of identity and authorization for employment in accordance with certain provisions of federal law. Any action that is required by federal or State law or regulation, or by government contract does not constitute a violation of this non-discrimination provision.

#### *Insurance*

Under the bill, no insurance underwriting rule is to operate in a way that assigns risk to a rating plan on the basis of the insured holding a standard license.

#### *Language Translation of Forms and other MVC Services*

The bill requires that the written examination (knowledge test) for a basic driver’s license or validated permit be made available in English and each of the three languages most commonly spoken in New Jersey, other than English. The bill requires the chief administrator to publish the driver’s manual on the MVC’s website in English and each of the three languages. The MVC is also required to translate the most commonly used application forms, as determine by the chief administrator, into each of the three languages. The chief administrator is required to periodically, but at least every five years, verify the three languages, other than English, most commonly spoken in New Jersey.

The bill also requires language translation services to be provided at each MVC agency and regional service center location, in a language spoken and understood by each applicant.

*Public Awareness Campaign and Advisory Board*

The bill requires the chief administrator to establish a 24 month public awareness campaign to inform the public about the availability of and the requirements to obtain a standard and REAL ID license or identification card.

The bill also creates the “Standard and REAL ID Driver License and Identification Card Advisory Board” (advisory board) to review the MVC’s implementation of the provisions of the bill and the issuance of licenses and identification cards.

The advisory board is to provide guidance to the MVC concerning public awareness and education of the differences between the standard and REAL ID licenses and identification cards and how to obtain standard and REAL ID licenses and identification cards. The advisory board is required to report to the Governor and Legislature its findings and recommendations no later than 12 months following the effective date of the bill. The advisory board terminates upon the submission of the report.

*Committee Amendments*

The committee amended the bill to:

- include additional findings and declarations;
- codify the point-based identification verification program, commonly known as the “6 Point ID Verification Program;”
- require the MVC to provide language translation services at MVC agencies and regional service center locations and on certain application forms;
- require that an applicant for a standard license or identification card only provide one document providing proof of New Jersey residency, instead of two documents;
- permit an applicant for a standard license or identification card to provide an I-TIN or statement that the applicant is ineligible to receive a social security number, if the applicant does not have a social security number;
- prohibit the MVC from disclosing the social security number, I-TIN, or the statement of ineligibility for a social security number for any applicant for a standard license or identification card, except under certain circumstances;
- require that the documents attributed point values under the “6 Point ID Verification Program” are to have the same point value threshold for all applicants for standard licenses and identification cards, regardless of immigration status;
- prohibit the MVC from disclosing personal information for any purpose related to Title 8 of the U.S. Code without the informed consent of the applicant, a warrant signed by a State or federal judge, or a lawful court order or subpoena;

- clarify that an applicant for a permit is required to provide the requisite number of documents in accordance with the type of license for which the person applied,
- eliminate new requirements created under the original bill for an applicant for a commercial drivers license examination permit;
- permit the holder of a license or identification card to amend the gender notation on the holder's license or identification card;
- require the advisory board to organize within 90 days of the effective date of the bill; and
- change the effective date to require the MVC to start the public awareness campaign within six months of enactment and the advisory board to expire upon the submission the report.

# Governor Murphy Signs Legislation Expanding Access to Driver's Licenses

12/19/2019

**ELIZABETH** – Governor Phil Murphy today signed a new law (A4743) to expand access to driver's licenses. The bill will give more New Jersey residents the opportunity to earn a license while decreasing the number of uninsured drivers on the road, improving roadway safety. New Jersey joins thirteen other states, including California, New York, and Utah, and the District of Columbia, in allowing residents to obtain driver's licenses regardless of immigration status.

"Expanding access to driver's licenses is critical for the safety of New Jerseyans and a step toward building a stronger and fairer New Jersey for all," **said Governor Murphy**. "Allowing residents the opportunity to obtain driver's licenses regardless of their immigration status will decrease the number of uninsured drivers and increase safety on our roads. I thank my partners in the Legislature for sending this important bill to my desk."

Allowing residents the opportunity to obtain driver's licenses will decrease the number of uninsured drivers and increase safety on our roads. I thank my partners in the Legislature for sending this important bill to my desk."

"This law allows hundreds of thousands of immigrants on our roads to be trained, tested, licensed and insured," **said Motor Vehicle Commission Chief Administrator Sue Fulton**. "Those who pass our driver testing and meet our strict identity requirements will be able to drive to work, school, doctor's appointments, and other activities, without risking the break-up of their families."

"Studies have shown that similar legislation in other states has had positive results for public and highway traffic safety and we look forward to similar benefits here in New Jersey," **said New Jersey State Police Superintendent Colonel Patrick Callahan**.

"For many residents, access to a driver's license will mean access to educational and job opportunities that will allow them to enhance their families' lives. It will also mean access to auto insurance, which will reduce the number of uninsured in our state and create safer roadways for all of New Jersey. I want to thank the Governor and Legislature for their support and effort on taking a bold step that once again demonstrates that New Jersey is a leader on issues of social and economic justice that are vital to our residents, and to ensuring the success of our state," **said Department of Banking and Insurance Commissioner Marlene Caride**.

The bill creates two categories of driver's licenses and non-driver identification cards: federally-compliant REAL ID, which is only available for documented residents, and the Standard Basic driver's license and ID, which will be available to all New Jersey residents regardless of immigration status. Anyone who applies for a Standard Basic driver's license or ID, whether a citizen or non-citizen, must provide six points of identification.

Further, the bill ensures that those who hold a Standard Basic driver's license are treated fairly. The bill prohibits insurance companies from charging a driver more for having a Standard Basic driver's license, and prohibits employment, housing, and public-accommodation discrimination against an individual for holding a Standard Basic driver's license or ID.

The bill also requires the Chief Administrator of Motor Vehicle Commission (MVC) to establish a two year public awareness campaign to inform the public about the availability of and the requirements to obtain a Standard Basic license or REAL ID. The bill also creates an 11-member advisory board to review the MVC's implementation of the bill and the issuance of Standard Basic and REAL ID driver's licenses. A report from the Board will be issued to the Governor and Legislature containing its findings and recommendations no later than 12 months following the bill's effective date, which is January 1, 2021.

"Ensuring all eligible New Jersey residents have access to greater independence with a driver's license or identification card, in the wake of Real IDs also posing affordability and access concerns, required a keen attention to detail," **said Assemblymembers Annette Quijano, Raj Mukherji, Gary Schaer, Gordon Johnson, Valerie Vainieri Huttel, and Joe Daniels**. "The main purpose was to ensure safer roads and more insured drivers in New Jersey. We have created a pathway for a New Jersey resident to acquire a driver's license, register their vehicle and insure their vehicle thus making for safer roads for all. We know this legislation will change thousands of lives in the Garden

State, a state with both urban, suburban and rural communities that require residents to drive a car to get from point A to point B. This bill has always been, first and foremost, about safety. We're proud to have sponsored the bill and we look forward to it being signed into law."

"Everyone benefits from safer roads," **said Senator Joseph Vitale**. "When more people are able to be trained, tested and buy insurance, it reduces risk for everyone. This legislation, now law, is not only the right thing to do for our residents, it is the responsible thing to do for our state."

"This legislation is going to be life-changing for thousands of families across New Jersey. It is incredible to imagine the impact it will have on the 168,000 children with undocumented parents and over 400,000 undocumented immigrants of driving age. These are mothers and fathers striving to make a better life for their children. It is extremely difficult to navigate this state without a car and like every New Jerseyan, they have jobs to get to, children to drop off at school and lives to live," **said Senator Teresa Ruiz**. "Not only will this law make our roads safer, it will also positively impact our economy and workforce. Other states that have approved similar legislation have seen a significant decrease in car insurance premiums and hit-and-run accidents. We expect to see the same here."

"This legislation breaks down barriers that are holding back hardworking men and women trying to ensure their family's financial security and provide opportunities to their children that were not afforded to them," **said Senator Nilsa Cruz-Perez**. "Getting behind the wheel is a privilege that is often assumed in the commonality of our daily lives, but for the undocumented community residing in New Jersey, access to the roadways offers is a path to new opportunities and an improved quality of life. This law will be transformative for families across the state."

"This is a historic day, and I am grateful to everyone who has advocated and fought for this law, without their dedication, persistence and patience this would never have become a reality. Not only will this make our roadways safer, it is going to immediately impact the quality of life of over half a million tax paying and contributing residents of our state," **said Senator Nellie Pou**. "Through this law and regulatory approach, we will make our roads safer and boost our economy but more importantly, we will provide for a fair mechanism to empowering all communities here in New Jersey."

"It has been incredible to see the immigrant community organize, mobilize and advocate for this issue," **said Senator Nia Gill**. "It is good, common-sense legislation and I look forward to seeing the impact it has on our communities and our economy."

"This new law will allow residents the opportunity to obtain driver's licenses regardless of their immigration status and will keep our roads safe," **said City of Passaic Police Chief Luis A. Guzman**.

"There are advocates in New Jersey that have been fighting for access to driver's licenses for more than 20 years," **said Adriana Abizadeh, Executive Director of the Latin American Legal Defense and Education Fund (LALDEF)**. "As the 15th state to pass this legislation, we are shouting from the rooftops that immigrants are welcome in New Jersey. As an organization focused on the inclusion of immigrants in this state, I am heartened by the progress we have made. It doesn't stop here. We will continue to tackle inequities through policy for some of the most vulnerable among us. ¡Si se pudo!"

"This is a historic moment for the Latino community of New Jersey, the culmination of 15 years of struggle," **said Frank Argote-Freyre, a Latin-American history professor at Kean University and Chair of the Latino Action Network Foundation**. "It is the moment when the organizing power of the community reached a new level and I am confident it will be seen as a turning point in the struggle for self-empowerment by generations to come. We are fortunate at this time to also have a Governor willing to show courage in the face of a torrent of anti-immigrant sentiment. His support of our community will be long remembered."

"This is a huge moment for working people who have fought for years to be able to have access to this necessity," **said Kevin Brown, New Jersey State Director and Vice President of SEIU 32BJ**. "Driving is more often than not essential to having and keeping a job in New Jersey, so expanded access to driver's licenses will fuel our economy, make our streets safer and support at-risk populations who need access. This bill is more than just a license; it's an opportunity for growth. We are thankful to Governor Murphy and the NJ Legislature for standing up for all New Jerseyans."

"On this historic day, New Jersey says to hundreds of thousands of New Jerseyans without status, you are a part of our state and our communities regardless of your federal immigration status," **said Johanna Calle, director of New Jersey Alliance For Immigrant Justice**. "A driver's license is so much more than a driver's license, it is a basic form of identification which shows that we are a part of this state and our communities. It brings immigrants out of the shadows. It means that every one of us, regardless of immigration status, belongs. Thank you to the Legislature and

Governor Murphy for making New Jersey the 15th state to allow all residents and families to drive safely.”

“Expanding access to driver’s license is a victory that was won by collective fights of all the community organizations,” **said Reynalda Cruz, member of the New Labor**. “Having a license is a necessity that will allow individuals to drive to work, school, and doctor’s appointments. New Labor members applaud New Jersey for taking this important step.”

“Since the founding of the Latino Action Network in 2009, this has been our number one legislative priority,” **said Christian Estevez, President of LAN**. “Governor Murphy’s signing of this bill is a landmark moment for our community and the entire state of New Jersey. It makes our state, a more humane and safe place to live. The coming together of a wide range of constituencies made this possible. It challenges the tone of intolerance set by President Trump at the national level.”

“Today New Jersey has taken a major step towards a more fair and welcoming state for all of its residents,” **said Itzel Hernandez, Immigrant Rights Organizer, American Friends Service Committee**. “As the 15th state to sign a similar bill into law, New Jersey is ensuring that we can all enjoy safer roads. Today, we recognize that we all need to be able to get to work, school, take our children to the doctor and other regular tasks as productive members of society. Having tested, licensed and insured drivers is just commonsense legislation. While providing an economic boost for the state, it will also allow us to treat our neighbors with dignity and respect. We are thrilled to be part of this key moment for immigrant justice.”

“I would like to thank Governor Phil Murphy for doing the right thing. It sounds foolish, but just look around the country. How many people in positions of power that do the wrong thing over and over,” **said Brian Lozano, Lead Organizer and Advocacy Coordinator of Wind of the Spirit**. “Thank you for opening the door to undocumented immigrant communities and helping our communities reclaim their dignity.”

“This law sends a clear message to the nation that New Jersey values the dignity of every resident, regardless of their immigration status or where they were born,” **said Erika Nava, Policy Analyst at New Jersey Policy Perspective (NJPP)**. “Driver’s license expansion, more than any other policy, will immediately boost the mobility and economic opportunity of mixed-status households in every corner of the state. Allowing all residents to legally drive will also ensure everyone on the road is properly trained, tested, and insured, making roads safer for all.”

“Today, after years of struggle, immigrants made history in New Jersey. As a mother who has taken three buses to take my son to the doctor and to school, my life will change now that I can have access to a driver’s license,” **said Margarita Rodriguez, member of Make the Road New Jersey**. “This victory belongs to immigrant brothers and sisters from across New Jersey who have fought so hard for so many years to be able to drive, and for the respect and dignity we deserve. We thank Governor Murphy, who has stood with our campaign from day one, and to our incredible sponsors, especially Assemblymembers Quijano and Schaer, as well as, Senators Vitale, Ruiz, Cryan, Pou and Cruz-Perez, and to Senate President Sweeney and Speaker Coughlin for their leadership.”

“Now that the law will expand access to driver’s licenses to all New Jersey residents regardless of immigration status, hundreds of thousands of New Jerseyans will be able to move more freely and live with less fear,” **said Amol Sinha, Executive Director of the ACLU-NJ**. “It will surely improve public safety, increase civic participation, and strengthen our economy. We could not have gotten here without the leadership of Assemblywoman Annette Quijano and Senator Joseph Vitale, along with Senate President Steve Sweeney, Speaker Craig Coughlin, and Governor Murphy. Above all, we thank the tireless activists and fearless community members who have for years dedicated themselves to the causes of fairness, justice, and equality – this monumental achievement belongs to them, and to all New Jerseyans.”

“This is an especially gratifying moment not only for the state, but for the many organizers and leaders within our organization that have dedicated their time and energy to this cause,” **said Charlene Walker, Executive Director of Faith in New Jersey**. “We focus heavily on protecting the rights and needs of the most vulnerable, and this measure opens up a whole new door for thousands of individuals that have had to risk driving without a license or insurance, having to rely on public transportation, or having to walk miles to get to work. Having a license is a demonstration of inclusion and the state’s way of recognizing that one is responsible enough to handle such a privilege that many of us take for granted.”