

FLOOR AMENDMENT STATEMENT:

No

LEGISLATIVE FISCAL ESTIMATE:

Yes 1-28-15
6-30-15

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes 8-4-15

GOVERNOR'S PRESS RELEASE:

Yes 9-19-15

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

"Another bill on Christie's desk goes to his lieutenant," northjersey.com, 8-3-15

"Guadagno signs bill expanding driver's license exam," Associated Press State Wire: New Jersey, 8-4-15

"N.J. Acting Gov. Guadagno signs bill expanding driver's license exam," northjersey.com, 8-4-15

"Boy's death spurs new question on state driver's license exam," Star-Ledger, 8-6-15

LAW/RWH

P.L.2015, CHAPTER 78, *approved August 4, 2015*
Assembly, No. 1781 (*First Reprint*)

1 **AN ACT** concerning driver safety education, designated “Nikhil’s
2 Law,” and amending R.S.39:3-10 and R.S.39:3-41.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. No person shall drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

14 No person under 18 years of age shall be issued a basic license to
15 drive motor vehicles, nor shall a person be issued a validated
16 permit, including a validated examination permit, until the applicant
17 has passed a satisfactory examination and other requirements as to
18 the applicant's ability as an operator. The examination shall include
19 a test of the applicant's vision, the applicant's ability to understand
20 traffic control devices, the applicant's knowledge of safe driving
21 practices and of the effects that ingestion of alcohol or drugs has on
22 a person's ability to operate a motor vehicle, the applicant's
23 knowledge of such portions of the mechanism of motor vehicles as
24 is necessary to insure the safe operation of a vehicle of the kind or
25 kinds indicated by the applicant, and of the laws and ordinary
26 usages of the road. No person shall sit for an examination for any
27 permit without exhibiting photo identification deemed acceptable
28 by the commission, unless that person is a high school student
29 participating in a course of automobile driving education approved
30 by the State Department of Education and conducted in a public,
31 parochial, or private school of this State, pursuant to section 1 of
32 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
33 written law knowledge examination for any person 18 years of age
34 or older possessing a valid driver's license issued by any other state,
35 the District of Columbia, or the United States Territories of
36 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
37 commission shall be required to provide that person with a booklet
38 that highlights those motor vehicle laws unique to New Jersey. A
39 road test shall be required for a probationary license and serve as a
40 demonstration of the applicant's ability to operate a vehicle of the

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:

¹Assembly AAP committee amendments adopted February 5, 2015.

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

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

36 The commission shall issue a basic driver's license to operate a
37 motor vehicle other than a motorcycle to a person over 18 years of
38 age who previously has not been licensed to drive a motor vehicle
39 in this State or another jurisdiction only if that person has: (1)
40 operated a passenger automobile in compliance with the
41 requirements of this title for not less than one year, not including
42 any period of suspension or postponement, from the date of
43 issuance of a probationary license pursuant to section 4 of
44 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
45 motor vehicle points; (3) not been convicted in the previous year for
46 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
47 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-

1 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
2 related violation the commission determines to be significant and
3 applicable pursuant to regulation; and (4) passed an examination of
4 the applicant's ability to operate a motor vehicle pursuant to this
5 section.

6 The commission shall expand the driver's license examination by
7 20%. The additional questions to be added shall consist solely of
8 questions developed in conjunction with the [State] Department of
9 Health [and Senior Services] concerning the use of alcohol or
10 drugs as related to highway safety. The commission shall develop
11 in conjunction with the [State] Department of Health [and Senior
12 Services] supplements to the driver's manual which shall include
13 information necessary to answer any question on the driver's license
14 examination concerning alcohol or drugs as related to highway
15 safety.

16 Up to 20 questions may be added to the examination on subjects
17 to be determined by the commission that are of particular relevance
18 to youthful drivers, after consultation with the Director of the
19 Division of Highway Traffic Safety in the Department of Law and
20 Public Safety.

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

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

32 Any person applying for a driver's license to operate a motor
33 vehicle or motorized bicycle in this State shall surrender to the
34 commission any current driver's license issued to the applicant by
35 another state or jurisdiction upon the applicant's receipt of a driver's
36 license for this State. The commission shall refuse to issue a
37 driver's license if the applicant fails to comply with this provision.
38 An applicant for a permit or license who is less than 18 years of
39 age, and who holds a permit or license for a passenger automobile
40 issued by another state or country that is valid or has expired within
41 a time period designated by the commission, shall be subject to the
42 permit and license requirements and penalties applicable to State
43 permit and license applicants who are of the same age; except that if
44 the other state or country has permit or license standards
45 substantially similar to those of this State, the credentials of the
46 other state or country shall be acceptable.

1 The commission shall create classified licensing of drivers
2 covering the following classifications:

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

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

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

15 d. All motor vehicles not included in classifications a. and b. A
16 license issued pursuant to this classification d. shall be referred to
17 as the "basic driver's license."

18 Every applicant for a license under classification b. shall be a
19 holder of a basic driver's license. Any issuance of a license under
20 classification b. shall be by endorsement on the basic driver's
21 license.

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

30 The commission, upon payment of the lawful fee and after it or a
31 person authorized by it has examined the applicant and is satisfied
32 of the applicant's ability as an operator, may, in its discretion, issue
33 a license to the applicant to drive a motor vehicle. The license shall
34 authorize him to drive any registered vehicle, of the kind or kinds
35 indicated, and shall expire, except as otherwise provided, on the last
36 day of the 48th calendar month following the calendar month in
37 which such license was issued.

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

1 fee for licenses with expiration dates fixed by the commission shall
2 be fixed by the commission in amounts proportionately less or
3 greater than the fee herein established.

4

5 The required fee for a license for the 48-month period shall be as
6 follows:

7

8 Motorcycle license or endorsement: \$18.

9

10 Omnibus or school bus endorsement: \$18.

11

12 Basic driver's license: \$18.

13

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

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

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

27 The commission in its discretion may refuse to grant a permit or
28 license to drive motor vehicles to a person who is, in its estimation,
29 not a proper person to be granted such a permit or license, but no
30 defect of the applicant shall debar the applicant from receiving a
31 permit or license unless it can be shown by tests approved by the
32 commission that the defect incapacitates the applicant from safely
33 operating a motor vehicle.

34 In addition to requiring an applicant for a driver's license to
35 submit satisfactory proof of identity and age, the commission also
36 shall require the applicant to provide, as a condition for obtaining a
37 permit and license, satisfactory proof that the applicant's presence
38 in the United States is authorized under federal law.

39 If the commission has reasonable cause to suspect that any
40 document presented by an applicant as proof of identity, age or
41 legal residency is altered, false or otherwise invalid, the
42 commission shall refuse to grant the permit or license until such
43 time as the document may be verified by the issuing agency to the
44 commission's satisfaction.

45 A person violating this section shall be subject to a fine not
46 exceeding \$500 or imprisonment in the county jail for not more
47 than 60 days, but if that person has never been licensed to drive in

1 this State or any other jurisdiction, the applicant shall be subject to
2 a fine of not less than \$200 and, in addition, the court shall issue an
3 order to the commission requiring the commission to refuse to issue
4 a license to operate a motor vehicle to the person for a period of not
5 less than 180 days. The penalties provided for by this paragraph
6 shall not be applicable in cases where failure to have actual
7 possession of the operator's license is due to an administrative or
8 technical error by the commission.

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

12 (cf: P.L.2011, c.13, s.1)

13
14 2. R.S.39:3-41 is amended to read as follows:

15 39:3-41. a. At the time of the issuance of an examination permit
16 or a special learner's permit to operate a motor vehicle, the
17 **【director】** chief administrator shall make available to each
18 applicant for the examination permit or special learner's permit a
19 driver's manual containing information required to be known and
20 followed by licensed drivers relating to licensing requirements.

21 b. At the time of any required examination for renewal of a
22 driver's license, the **【director】** chief administrator shall upon
23 request make available to each applicant for renewal a copy of the
24 manual and any supplements thereto.

25 c. The driver's manual and any supplements thereto or any
26 other booklet or writing prepared in connection with examinations
27 for drivers' licenses or for renewals of drivers' licenses shall contain
28 all information necessary to answer any question on an examination
29 for a driver's license or for a renewal of a driver's license.

30 d. The **【director】** chief administrator, following consultation
31 with the organ procurement organizations designated pursuant to 42
32 U.S.C. s.1320b-8 to serve in the State of New Jersey, shall include
33 in the driver's manual information explaining the provisions of the
34 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77
35 et al.), the beneficial uses of donated organs and tissues, and the
36 procedure for indicating on the driver's license the intention to
37 make such a donation pursuant to P.L.1978, c.181 (C.39:3-12.2).
38 The **【director】** chief administrator may distribute all remaining
39 copies of the existing driver's manual before reprinting the manual
40 with the information required pursuant to this subsection.

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

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

1 “In order to ensure the safety of others on the road, passengers in
2 my car, and myself as a driver, I pledge to obey traffic laws while
3 operating a motor vehicle, be extra cautious, and be attentive to
4 traffic signs and signals and road conditions. Specifically:

5 I will come to a complete stop at every “stop” sign or red traffic
6 light, and will not proceed through a red traffic light;

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

9 I will talk safely by using a hands-free wireless telephone while
10 driving if I am of lawful age to do so and refrain from texting while
11 driving; and I will plan ahead and leave enough time to arrive at my
12 destination.”

13 (2) The chief administrator shall ensure that drivers have the
14 option of taking the pledge set forth in paragraph (1) of this
15 subsection by filling out a standard form made available at motor
16 vehicle offices or by following instructions publicized by the
17 ‘[commissioner] chief administrator’¹ directing interested drivers
18 to the appropriate website to complete the pledge.

19 (3) The chief administrator may distribute all remaining copies
20 of the existing driver’s manual before reprinting the manual with
21 the information required pursuant to this subsection.

22 (cf: P.L.2008, c.50, s.26)

23

24 3. This act shall take effect on the first day of the seventh
25 month after enactment, but the Chief Administrator of the Motor
26 Vehicle Commission may take such anticipatory administrative
27 action in advance as shall be necessary for the implementation of
28 the act.

29

30

31

32

33 “Nikhil’s Law”; requires MVC to inform and test drivers on
34 dangers of failing to comply with traffic safety laws and “STOP for
35 Nikhil Safety Pledge.”

ASSEMBLY, No. 1781

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman CHARLES MAINOR

District 31 (Hudson)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

SYNOPSIS

“Nikhil’s Law”; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and “STOP for Nikhil Safety Pledge.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 6/6/2014)

1 AN ACT concerning driver safety education, designated “Nikhil’s
2 Law,” and amending R.S.39:3-10 and R.S.39:3-41.

3

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

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7 1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. No person shall drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

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15 drive motor vehicles, nor shall a person be issued a validated
16 permit, including a validated examination permit, until the applicant
17 has passed a satisfactory examination and other requirements as to
18 the applicant's ability as an operator. The examination shall include
19 a test of the applicant's vision, the applicant's ability to understand
20 traffic control devices, the applicant's knowledge of safe driving
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22 a person's ability to operate a motor vehicle, the applicant's
23 knowledge of such portions of the mechanism of motor vehicles as
24 is necessary to insure the safe operation of a vehicle of the kind or
25 kinds indicated by the applicant, and of the laws and ordinary
26 usages of the road. No person shall sit for an examination for any
27 permit without exhibiting photo identification deemed acceptable
28 by the commission, unless that person is a high school student
29 participating in a course of automobile driving education approved
30 by the State Department of Education and conducted in a public,
31 parochial, or private school of this State, pursuant to section 1 of
32 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
33 written law knowledge examination for any person 18 years of age
34 or older possessing a valid driver's license issued by any other state,
35 the District of Columbia, or the United States Territories of
36 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
37 commission shall be required to provide that person with a booklet
38 that highlights those motor vehicle laws unique to New Jersey. A
39 road test shall be required for a probationary license and serve as a
40 demonstration of the applicant's ability to operate a vehicle of the
41 class designated. No person shall sit for a road test unless that
42 person exhibits photo identification deemed acceptable by the
43 commission. A high school student who has completed a course of
44 behind-the-wheel automobile driving education approved by the
45 State Department of Education and conducted in a public, parochial,

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 or private school of this State, who has been issued a special
2 learner's permit pursuant to section 1 of P.L.1950, c.127 (C.39:3-
3 13.1) prior to January 1, 2003, shall not be required to exhibit photo
4 identification in order to sit for a road test. The commission may
5 waive the road test for any person 18 years of age or older
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7 District of Columbia, or the United States Territories of American
8 Samoa, Guam, Puerto Rico, or the Virgin Islands. The road test
9 shall be given on public streets, where practicable and feasible, but
10 may be preceded by an off-street screening process to assess basic
11 skills. The commission shall approve locations for the road test
12 which pose no more than a minimal risk of injury to the applicant,
13 the examiner, and other motorists. No new locations for the road
14 test shall be approved unless the test can be given on public streets.

15 A person who successfully completes a road test for a
16 motorcycle license or a motorcycle endorsement when operating a
17 motorcycle or motorized scooter with an engine displacement of
18 less than 231 cubic centimeters shall be issued a motorcycle license
19 or endorsement restricting the person's operation of such vehicles to
20 any motorcycle with an engine displacement of 500 cubic
21 centimeters or less. A person who successfully completes a road
22 test for a motorcycle license or motorcycle endorsement when
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24 cubic centimeters shall be issued a motorcycle license or
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26 Any person who successfully completes an approved motorcycle
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30 displacement.

31 The commission shall issue a basic driver's license to operate a
32 motor vehicle other than a motorcycle to a person over 18 years of
33 age who previously has not been licensed to drive a motor vehicle
34 in this State or another jurisdiction only if that person has: (1)
35 operated a passenger automobile in compliance with the
36 requirements of this title for not less than one year, not including
37 any period of suspension or postponement, from the date of
38 issuance of a probationary license pursuant to section 4 of
39 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
40 motor vehicle points; (3) not been convicted in the previous year for
41 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
42 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-
43 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
44 related violation the commission determines to be significant and
45 applicable pursuant to regulation; and (4) passed an examination of
46 the applicant's ability to operate a motor vehicle pursuant to this
47 section.

1 The commission shall expand the driver's license examination by
2 20%. The additional questions to be added shall consist solely of
3 questions developed in conjunction with the [State] Department of
4 Health [and Senior Services] concerning the use of alcohol or
5 drugs as related to highway safety. The commission shall develop
6 in conjunction with the [State] Department of Health [and Senior
7 Services] supplements to the driver's manual which shall include
8 information necessary to answer any question on the driver's license
9 examination concerning alcohol or drugs as related to highway
10 safety.

11 Up to 20 questions may be added to the examination on subjects
12 to be determined by the commission that are of particular relevance
13 to youthful drivers, after consultation with the Director of the
14 Division of Highway Traffic Safety in the Department of Law and
15 Public Safety.

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

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

27 Any person applying for a driver's license to operate a motor
28 vehicle or motorized bicycle in this State shall surrender to the
29 commission any current driver's license issued to the applicant by
30 another state or jurisdiction upon the applicant's receipt of a driver's
31 license for this State. The commission shall refuse to issue a
32 driver's license if the applicant fails to comply with this provision.
33 An applicant for a permit or license who is less than 18 years of
34 age, and who holds a permit or license for a passenger automobile
35 issued by another state or country that is valid or has expired within
36 a time period designated by the commission, shall be subject to the
37 permit and license requirements and penalties applicable to State
38 permit and license applicants who are of the same age; except that if
39 the other state or country has permit or license standards
40 substantially similar to those of this State, the credentials of the
41 other state or country shall be acceptable.

42 The commission shall create classified licensing of drivers
43 covering the following classifications:

44 a. Motorcycles, except that for the purposes of this section,
45 motorcycle shall not include any three-wheeled motor vehicle
46 equipped with a single cab with glazing enclosing the occupant,
47 seats similar to those of a passenger vehicle or truck, seat belts and

1 automotive steering or any vehicle defined as a motorcycle pursuant
2 to R.S.39:1-1 having a motor with a maximum piston displacement
3 that is less than 50 cubic centimeters or a motor that is rated at no
4 more than 1.5 brake horsepower with a maximum speed of no more
5 than 35 miles per hour on a flat surface.

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

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

9 d. All motor vehicles not included in classifications a. and b. A
10 license issued pursuant to this classification d. shall be referred to
11 as the "basic driver's license."

12 Every applicant for a license under classification b. shall be a
13 holder of a basic driver's license. Any issuance of a license under
14 classification b. shall be by endorsement on the basic driver's
15 license.

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

24 The commission, upon payment of the lawful fee and after it or a
25 person authorized by it has examined the applicant and is satisfied
26 of the applicant's ability as an operator, may, in its discretion, issue
27 a license to the applicant to drive a motor vehicle. The license shall
28 authorize him to drive any registered vehicle, of the kind or kinds
29 indicated, and shall expire, except as otherwise provided, on the last
30 day of the 48th calendar month following the calendar month in
31 which such license was issued.

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

1 The required fee for a license for the 48-month period shall be as
2 follows:

3
4 Motorcycle license or endorsement: \$18.

5
6 Omnibus or school bus endorsement: \$18.

7
8 Basic driver's license: \$18.
9

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

16 The commission shall issue licenses for the following license
17 period on and after the first day of the calendar month immediately
18 preceding the commencement of such period, such licenses to be
19 effective immediately.

20 All applications for renewals of licenses shall be made in a
21 manner prescribed by the commission and in accordance with
22 procedures established by it.

23 The commission in its discretion may refuse to grant a permit or
24 license to drive motor vehicles to a person who is, in its estimation,
25 not a proper person to be granted such a permit or license, but no
26 defect of the applicant shall debar the applicant from receiving a
27 permit or license unless it can be shown by tests approved by the
28 commission that the defect incapacitates the applicant from safely
29 operating a motor vehicle.

30 In addition to requiring an applicant for a driver's license to
31 submit satisfactory proof of identity and age, the commission also
32 shall require the applicant to provide, as a condition for obtaining a
33 permit and license, satisfactory proof that the applicant's presence
34 in the United States is authorized under federal law.

35 If the commission has reasonable cause to suspect that any
36 document presented by an applicant as proof of identity, age or
37 legal residency is altered, false or otherwise invalid, the
38 commission shall refuse to grant the permit or license until such
39 time as the document may be verified by the issuing agency to the
40 commission's satisfaction.

41 A person violating this section shall be subject to a fine not
42 exceeding \$500 or imprisonment in the county jail for not more
43 than 60 days, but if that person has never been licensed to drive in
44 this State or any other jurisdiction, the applicant shall be subject to
45 a fine of not less than \$200 and, in addition, the court shall issue an
46 order to the commission requiring the commission to refuse to issue
47 a license to operate a motor vehicle to the person for a period of not

1 less than 180 days. The penalties provided for by this paragraph
2 shall not be applicable in cases where failure to have actual
3 possession of the operator's license is due to an administrative or
4 technical error by the commission.

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

8 (cf: P.L.2011, c.13, s.1)

9

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

11 39:3-41. a. At the time of the issuance of an examination permit
12 or a special learner's permit to operate a motor vehicle, the
13 **【director】 commissioner** shall make available to each applicant for
14 the examination permit or special learner's permit a driver's manual
15 containing information required to be known and followed by
16 licensed drivers relating to licensing requirements.

17 b. At the time of any required examination for renewal of a
18 driver's license, the **【director】 commissioner** shall upon request
19 make available to each applicant for renewal a copy of the manual
20 and any supplements thereto.

21 c. The driver's manual and any supplements thereto or any
22 other booklet or writing prepared in connection with examinations
23 for drivers' licenses or for renewals of drivers' licenses shall contain
24 all information necessary to answer any question on an examination
25 for a driver's license or for a renewal of a driver's license.

26 d. The **【director】 commissioner**, following consultation with
27 the organ procurement organizations designated pursuant to 42
28 U.S.C. s.1320b-8 to serve in the State of New Jersey, shall include
29 in the driver's manual information explaining the provisions of the
30 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77
31 et al.), the beneficial uses of donated organs and tissues, and the
32 procedure for indicating on the driver's license the intention to
33 make such a donation pursuant to P.L.1978, c.181 (C.39:3-12.2).
34 The **【director】 commissioner** may distribute all remaining copies of
35 the existing driver's manual before reprinting the manual with the
36 information required pursuant to this subsection.

37 e. The commissioner, in consultation with the Nikhil Badlani
38 Foundation, shall include in the driver's manual information
39 explaining the dangers of failing to comply with this State's motor
40 vehicle traffic laws and indicating that interested drivers may take
41 the STOP for Nikhil Safety Pledge set forth in paragraph (1) of this
42 subsection.

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

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

1 I will come to a complete stop at every “stop” sign or red traffic
2 light, and will not proceed through a red traffic light;

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

5 I will talk safely by using a hands-free wireless telephone while
6 driving if I am of lawful age to do so and refrain from texting while
7 driving; and I will plan ahead and leave enough time to arrive at my
8 destination.”

9 (2) The commissioner shall ensure that drivers have the option
10 of taking the pledge set forth in paragraph (1) of this subsection by
11 filling out a standard form made available at motor vehicle offices
12 or by following instructions publicized by the commissioner
13 directing interested drivers to the appropriate website to complete
14 the pledge.

15 (3) The commissioner may distribute all remaining copies of the
16 existing driver’s manual before reprinting the manual with the
17 information required pursuant to this subsection.

18 (cf: P.L.2008, c.50, s.26)

19
20 3. This act shall take effect on the first day of the seventh
21 month after enactment, but the Chief Administrator of the Motor
22 Vehicle Commission may take such anticipatory administrative
23 action in advance as shall be necessary for the implementation of
24 the act.

25
26
27 STATEMENT

28
29 This bill would require the Commissioner of the Motor Vehicle
30 Commission to expand the driver’s license examination to include a
31 question asking whether the applicant is aware of the dangers of
32 failing to follow this State’s motor vehicle traffic laws and whether
33 they are aware that they have the option to take the “STOP for
34 Nikhil Safety Pledge.”

35 The 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

47 I will plan ahead and leave enough time to arrive at my
48 destination.”

A1781 MCKEON, MAINOR

1 The bill also would require the commissioner, in consultation
2 with the Nikhil Badlani Foundation, to include in the driver's
3 manual information explaining the dangers of failing to follow this
4 State's motor vehicle traffic laws. This information must provide
5 interested drivers with instructions on how to take the "STOP for
6 Nikhil Safety Pledge."

7 The commissioner also is required by the bill to ensure that
8 drivers have the option of taking the pledge by filling out a standard
9 form made available at motor vehicle offices or by following
10 instructions publicized by the commissioner directing interested
11 drivers to the appropriate website to complete the pledge.

12 This bill is named "Nikhil's Law" in honor of Nikhil Badlani of
13 West Orange, an 11-year old exemplary student and aspiring
14 musician who was tragically killed in a motor vehicle accident
15 involving a driver who ran a stop sign.

ASSEMBLY, No. 1781

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman CHARLES MAINOR

District 31 (Hudson)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman SHAVONDA E. SUMTER

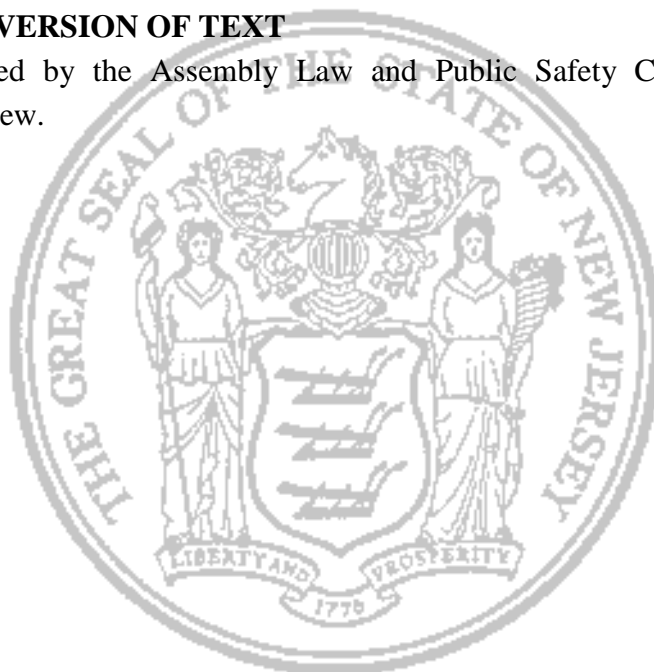
District 35 (Bergen and Passaic)

SYNOPSIS

“Nikhil’s Law”; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and “STOP for Nikhil Safety Pledge.”

CURRENT VERSION OF TEXT

As reported by the Assembly Law and Public Safety Committee with technical review.



(Sponsorship Updated As Of: 6/13/2014)

1 AN ACT concerning driver safety education, designated “Nikhil’s
2 Law,” and amending R.S.39:3-10 and R.S.39:3-41.

3

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

6

7 1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. No person shall drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

14 No person under 18 years of age shall be issued a basic license to
15 drive motor vehicles, nor shall a person be issued a validated
16 permit, including a validated examination permit, until the applicant
17 has passed a satisfactory examination and other requirements as to
18 the applicant's ability as an operator. The examination shall include
19 a test of the applicant's vision, the applicant's ability to understand
20 traffic control devices, the applicant's knowledge of safe driving
21 practices and of the effects that ingestion of alcohol or drugs has on
22 a person's ability to operate a motor vehicle, the applicant's
23 knowledge of such portions of the mechanism of motor vehicles as
24 is necessary to insure the safe operation of a vehicle of the kind or
25 kinds indicated by the applicant, and of the laws and ordinary
26 usages of the road. No person shall sit for an examination for any
27 permit without exhibiting photo identification deemed acceptable
28 by the commission, unless that person is a high school student
29 participating in a course of automobile driving education approved
30 by the State Department of Education and conducted in a public,
31 parochial, or private school of this State, pursuant to section 1 of
32 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
33 written law knowledge examination for any person 18 years of age
34 or older possessing a valid driver's license issued by any other state,
35 the District of Columbia, or the United States Territories of
36 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
37 commission shall be required to provide that person with a booklet
38 that highlights those motor vehicle laws unique to New Jersey. A
39 road test shall be required for a probationary license and serve as a
40 demonstration of the applicant's ability to operate a vehicle of the
41 class designated. No person shall sit for a road test unless that
42 person exhibits photo identification deemed acceptable by the
43 commission. A high school student who has completed a course of
44 behind-the-wheel automobile driving education approved by the
45 State Department of Education and conducted in a public, parochial,

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

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

31 The commission shall issue a basic driver's license to operate a
32 motor vehicle other than a motorcycle to a person over 18 years of
33 age who previously has not been licensed to drive a motor vehicle
34 in this State or another jurisdiction only if that person has: (1)
35 operated a passenger automobile in compliance with the
36 requirements of this title for not less than one year, not including
37 any period of suspension or postponement, from the date of
38 issuance of a probationary license pursuant to section 4 of
39 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
40 motor vehicle points; (3) not been convicted in the previous year for
41 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
42 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-
43 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
44 related violation the commission determines to be significant and
45 applicable pursuant to regulation; and (4) passed an examination of
46 the applicant's ability to operate a motor vehicle pursuant to this
47 section.

1 The commission shall expand the driver's license examination by
2 20%. The additional questions to be added shall consist solely of
3 questions developed in conjunction with the [State] Department of
4 Health [and Senior Services] concerning the use of alcohol or
5 drugs as related to highway safety. The commission shall develop
6 in conjunction with the [State] Department of Health [and Senior
7 Services] supplements to the driver's manual which shall include
8 information necessary to answer any question on the driver's license
9 examination concerning alcohol or drugs as related to highway
10 safety.

11 Up to 20 questions may be added to the examination on subjects
12 to be determined by the commission that are of particular relevance
13 to youthful drivers, after consultation with the Director of the
14 Division of Highway Traffic Safety in the Department of Law and
15 Public Safety.

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

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

27 Any person applying for a driver's license to operate a motor
28 vehicle or motorized bicycle in this State shall surrender to the
29 commission any current driver's license issued to the applicant by
30 another state or jurisdiction upon the applicant's receipt of a driver's
31 license for this State. The commission shall refuse to issue a
32 driver's license if the applicant fails to comply with this provision.
33 An applicant for a permit or license who is less than 18 years of
34 age, and who holds a permit or license for a passenger automobile
35 issued by another state or country that is valid or has expired within
36 a time period designated by the commission, shall be subject to the
37 permit and license requirements and penalties applicable to State
38 permit and license applicants who are of the same age; except that if
39 the other state or country has permit or license standards
40 substantially similar to those of this State, the credentials of the
41 other state or country shall be acceptable.

42 The commission shall create classified licensing of drivers
43 covering the following classifications:

44 a. Motorcycles, except that for the purposes of this section,
45 motorcycle shall not include any three-wheeled motor vehicle
46 equipped with a single cab with glazing enclosing the occupant,
47 seats similar to those of a passenger vehicle or truck, seat belts and

1 automotive steering or any vehicle defined as a motorcycle pursuant
2 to R.S.39:1-1 having a motor with a maximum piston displacement
3 that is less than 50 cubic centimeters or a motor that is rated at no
4 more than 1.5 brake horsepower with a maximum speed of no more
5 than 35 miles per hour on a flat surface.

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

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

9 d. All motor vehicles not included in classifications a. and b. A
10 license issued pursuant to this classification d. shall be referred to
11 as the "basic driver's license."

12 Every applicant for a license under classification b. shall be a
13 holder of a basic driver's license. Any issuance of a license under
14 classification b. shall be by endorsement on the basic driver's
15 license.

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

24 The commission, upon payment of the lawful fee and after it or a
25 person authorized by it has examined the applicant and is satisfied
26 of the applicant's ability as an operator, may, in its discretion, issue
27 a license to the applicant to drive a motor vehicle. The license shall
28 authorize him to drive any registered vehicle, of the kind or kinds
29 indicated, and shall expire, except as otherwise provided, on the last
30 day of the 48th calendar month following the calendar month in
31 which such license was issued.

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

1 The required fee for a license for the 48-month period shall be as
2 follows:

3

4 Motorcycle license or endorsement: \$18.

5

6 Omnibus or school bus endorsement: \$18.

7

8 Basic driver's license: \$18.

9

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

16 The commission shall issue licenses for the following license
17 period on and after the first day of the calendar month immediately
18 preceding the commencement of such period, such licenses to be
19 effective immediately.

20 All applications for renewals of licenses shall be made in a
21 manner prescribed by the commission and in accordance with
22 procedures established by it.

23 The commission in its discretion may refuse to grant a permit or
24 license to drive motor vehicles to a person who is, in its estimation,
25 not a proper person to be granted such a permit or license, but no
26 defect of the applicant shall debar the applicant from receiving a
27 permit or license unless it can be shown by tests approved by the
28 commission that the defect incapacitates the applicant from safely
29 operating a motor vehicle.

30 In addition to requiring an applicant for a driver's license to
31 submit satisfactory proof of identity and age, the commission also
32 shall require the applicant to provide, as a condition for obtaining a
33 permit and license, satisfactory proof that the applicant's presence
34 in the United States is authorized under federal law.

35 If the commission has reasonable cause to suspect that any
36 document presented by an applicant as proof of identity, age or
37 legal residency is altered, false or otherwise invalid, the
38 commission shall refuse to grant the permit or license until such
39 time as the document may be verified by the issuing agency to the
40 commission's satisfaction.

41 A person violating this section shall be subject to a fine not
42 exceeding \$500 or imprisonment in the county jail for not more
43 than 60 days, but if that person has never been licensed to drive in
44 this State or any other jurisdiction, the applicant shall be subject to
45 a fine of not less than \$200 and, in addition, the court shall issue an
46 order to the commission requiring the commission to refuse to issue
47 a license to operate a motor vehicle to the person for a period of not

1 less than 180 days. The penalties provided for by this paragraph
2 shall not be applicable in cases where failure to have actual
3 possession of the operator's license is due to an administrative or
4 technical error by the commission.

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

8 (cf: P.L.2011, c.13, s.1)

9

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

11 39:3-41. a. At the time of the issuance of an examination permit
12 or a special learner's permit to operate a motor vehicle, the
13 **【director】** chief administrator shall make available to each
14 applicant for the examination permit or special learner's permit a
15 driver's manual containing information required to be known and
16 followed by licensed drivers relating to licensing requirements.

17 b. At the time of any required examination for renewal of a
18 driver's license, the **【director】** chief administrator shall upon
19 request make available to each applicant for renewal a copy of the
20 manual and any supplements thereto.

21 c. The driver's manual and any supplements thereto or any
22 other booklet or writing prepared in connection with examinations
23 for drivers' licenses or for renewals of drivers' licenses shall contain
24 all information necessary to answer any question on an examination
25 for a driver's license or for a renewal of a driver's license.

26 d. The **【director】** chief administrator, following consultation
27 with the organ procurement organizations designated pursuant to 42
28 U.S.C. s.1320b-8 to serve in the State of New Jersey, shall include
29 in the driver's manual information explaining the provisions of the
30 "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77
31 et al.), the beneficial uses of donated organs and tissues, and the
32 procedure for indicating on the driver's license the intention to
33 make such a donation pursuant to P.L.1978, c.181 (C.39:3-12.2).
34 The **【director】** chief administrator may distribute all remaining
35 copies of the existing driver's manual before reprinting the manual
36 with the information required pursuant to this subsection.

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

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

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

- 1 I will come to a complete stop at every “stop” sign or red traffic
2 light, and will not proceed through a red traffic light;
3 I will stay alert, keep two hands on the steering wheel whenever
4 possible, and keep my mind on the road;
5 I will talk safely by using a hands-free wireless telephone while
6 driving if I am of lawful age to do so and refrain from texting while
7 driving; and I will plan ahead and leave enough time to arrive at my
8 destination.”
9 (2) The chief administrator shall ensure that drivers have the
10 option of taking the pledge set forth in paragraph (1) of this
11 subsection by filling out a standard form made available at motor
12 vehicle offices or by following instructions publicized by the
13 commissioner directing interested drivers to the appropriate website
14 to complete the pledge.
15 (3) The chief administrator may distribute all remaining copies
16 of the existing driver’s manual before reprinting the manual with
17 the information required pursuant to this subsection.
18 (cf: P.L.2008, c.50, s.26)
19
20 3. This act shall take effect on the first day of the seventh
21 month after enactment, but the Chief Administrator of the Motor
22 Vehicle Commission may take such anticipatory administrative
23 action in advance as shall be necessary for the implementation of
24 the act.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1781

STATE OF NEW JERSEY

DATED: JUNE 5, 2014

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1781.

Assembly Bill No. 1781 requires the Chief Administrator of the Motor Vehicle Commission to expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State's motor vehicle traffic laws and whether they are aware that they have the option to take the "STOP for Nikhil Safety Pledge." The "STOP for Nikhil Safety Pledge" affirms the applicant's commitment to traffic safety.

The bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver's manual information explaining the dangers of failing to follow this State's motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the "STOP for Nikhil Safety Pledge."

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at motor vehicle offices or by following instructions on the appropriate website.

This bill is named "Nikhil's Law" in honor of Nikhil Badlani of West Orange, an 11-year old exemplary student and aspiring musician who was tragically killed in a motor vehicle accident involving a driver who ran a stop sign.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1781
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: JANUARY 28, 2015

SUMMARY

Synopsis: "Nikhil's Law"; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and "STOP for Nikhil Safety Pledge."

Type of Impact: Minimal, if any, fiscal impact.

Agencies Affected: Department of Transportation; New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Minimal, if any, fiscal impact.		
State Revenue	None.		

- The Office of Legislative Services (OLS) finds the fiscal impact of this bill to be minimal since the bill requires the inclusion of the specified information after the remaining materials currently in print have been distributed.
- The bill requires the New Jersey Motor Vehicle Commission (MVC) to include both in the driver’s manual and on driving examinations the “STOP for Nikhil Safety Pledge” and a question asking test takers if they understand the consequences of violating traffic laws.
- The bill permits the MVC to utilize all existing copies of the driver’s manual prior to including information explaining the dangers of failing to comply with State traffic laws and the “STOP for Nikhil Safety Pledge.”

BILL DESCRIPTION

Assembly Bill No. 1781 of 2014 requires the Chief Administrator of the New Jersey MVC to expand the driver’s license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State’s motor vehicle traffic laws and whether the



applicant is aware of the option to take the “STOP for Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge” affirms the applicant’s commitment to traffic safety.

The bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver’s manual information explaining the dangers of failing to follow this State’s motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the “STOP for Nikhil Safety Pledge.”

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at MVC offices or by following instructions on the appropriate website.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the fiscal impact of this bill to be minimal since the bill only requires the inclusion of the specified information after the remaining materials currently in print have been distributed.

It is the understanding of OLS that the New Jersey MVC regularly reviews and revises the driver’s manual prior to printing revised publications. The last revision was made in July of 2014 and includes 212 pages as featured in a PDF format. The driver’s manual is available to consumers via an electronic document online and in limited hard copy distribution at MVC locations and upon special request.

The MVC knowledge test on traffic laws, rules and regulations is administered by a computer. The OLS is unfamiliar with how the computer program for this exam is formatted; however, ideally this could be updated at a lower cost than if the test was in a hard copy format and needed to be updated and printed.

The manual and driver’s test would need to be updated on a delayed timetable to ensure that those studying for the exam received adequate time to study updated materials.

Additionally, it is unknown how many “pledges” would be signed and if a form is provided by MVC, as requested by the bill. It is unknown where these forms would be stored.

Section: Law and Public Safety

Analyst: Kristin Brunner Santos
Senior Fiscal Analyst

Approved: David J. Rosen
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.).

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1781

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 2015

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1781, with committee amendments.

As amended, this bill, designated as “Nikhil’s Law,” requires the Chief Administrator of the Motor Vehicle Commission to inform and test drivers on the dangers of failing to comply with traffic safety laws and the “STOP for Nikhil Safety Pledge.”

Under the bill, the chief administrator is required to expand the driver’s license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State’s motor vehicle traffic laws and whether the applicant is aware of the option to take the “STOP for Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge” affirms the applicant’s commitment to traffic safety and the safety of others.

In addition, the bill requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver’s manual additional information explaining the dangers of failing to follow this State’s motor vehicle traffic laws. The additional information must also indicate that interested drivers may take the “STOP for Nikhil Safety Pledge.”

The bill requires the chief administrator to ensure that drivers have the option of taking the pledge by filling out a standard form made available at motor vehicle offices or by following instructions publicized by the chief administrator directing interested drivers to the appropriate website to complete the pledge. The bill permits the chief administrator to distribute all remaining copies of the existing driver’s manual before reprinting the manual with additional information required by the bill.

The bill takes effect on the first day of the seventh month after enactment, but permits the chief administrator to take anticipatory administrative actions in advance of the bill’s effective date.

The bill is designated as “Nikhil’s Law” in honor of Nikhil Badlani of West Orange, an 11-year old exemplary student and aspiring musician who was tragically killed in a motor vehicle accident involving a driver who ran a stop sign.

FISCAL IMPACT:

The Office of Legislative Services (OLS) expects the State will incur certain additional costs to comply with provisions of the bill that require the chief administrator to: expand the driver's license examination, revise the driver's manual, and to make pledge forms available to drivers at motor vehicle offices.

However, these additional costs are expected to be minimal. The OLS notes that the bill permits the chief administrator to distribute remaining copies of the existing driver's manual before undertaking the required revisions, and notes that that the State's current driver's license examination is administered using an electronic computer program, which ideally can be updated at a lower cost than if the examination was administered by paper and pencil and needed to be updated, printed, and distributed in hard copy.

COMMITTEE AMENDMENTS:

The amendment makes a technical correction to a reference to the Chief Administrator of the Motor Vehicle Commission.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1781 STATE OF NEW JERSEY 216th LEGISLATURE

DATED: FEBRUARY 18, 2015

SUMMARY

- Synopsis:** "Nikhil's Law"; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and "STOP for Nikhil Safety Pledge."
- Type of Impact:** Minimal, if any, fiscal impact.
- Agencies Affected:** Department of Transportation; New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Minimal, if any, fiscal impact.		
State Revenue	None.		

- The Office of Legislative Services (OLS) finds the fiscal impact of this bill to be minimal since the bill requires the inclusion of the specified information after the remaining materials currently in print have been distributed.
- The bill requires the New Jersey Motor Vehicle Commission (MVC) to include both in the driver's manual and on driving examinations the "STOP for Nikhil Safety Pledge" and a question asking test takers if they understand the consequences of violating traffic laws.
- The bill permits the MVC to utilize all existing copies of the driver's manual prior to including information explaining the dangers of failing to comply with State traffic laws and the "STOP for Nikhil Safety Pledge."

BILL DESCRIPTION

Assembly Bill No. 1781 (1R) of 2014 requires the Chief Administrator of the New Jersey Motor Vehicle Commission to expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State's motor

vehicle traffic laws and whether the applicant is aware of the option to take the “STOP for Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge” affirms the applicant’s commitment to traffic safety.

The bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver’s manual information explaining the dangers of failing to follow this State’s motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the “STOP for Nikhil Safety Pledge.”

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at MVC offices or by following instructions on the appropriate website.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the fiscal impact of this bill to be minimal since the bill only requires the inclusion of the specified information after the remaining materials currently in print have been distributed.

It is the understanding of OLS that the New Jersey MVC regularly reviews and revises the driver’s manual prior to printing revised publications. The last revision was made in July of 2014 and includes 212 pages as featured in a PDF format. The driver’s manual is available to consumers via an electronic document online and in limited hard copy distribution at MVC locations and upon special request.

The MVC knowledge test on traffic laws, rules and regulations is administered by a computer. The OLS is unfamiliar with how the computer program for this exam is formatted; however, ideally this could be updated at a lower cost than if the test was in a hard copy format and needed to be updated and printed.

The manual and driver’s test would need to be updated on a delayed timetable to ensure that those studying for the exam received adequate time to study updated materials. Additionally, it is unknown how many “pledges” would be signed and if a form is provided by MVC, as requested by the bill. It is unknown where these forms would be stored.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1781

STATE OF NEW JERSEY

DATED: MAY 7, 2015

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1781 (1R).

As reported by the committee, Assembly Bill No. 1781 (1R), designated as “Nikhil’s Law,” requires the Chief Administrator of the Motor Vehicle Commission to inform and test drivers on the dangers of failing to comply with traffic safety laws and the “STOP for Nikhil Safety Pledge.”

Under the bill, the chief administrator is required to expand the driver’s license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State’s motor vehicle traffic laws and whether the applicant is aware of the option to take the “STOP for Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge” affirms the applicant’s commitment to traffic safety and the safety of others.

In addition, the bill requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver’s manual additional information explaining the dangers of failing to follow this State’s motor vehicle traffic laws. The additional information must also indicate that interested drivers may take the “STOP for Nikhil Safety Pledge.”

The bill requires the chief administrator to ensure that drivers have the option of taking the pledge by filling out a standard form made available at motor vehicle offices or by following instructions publicized by the chief administrator directing interested drivers to the appropriate website to complete the pledge. The bill permits the chief administrator to distribute all remaining copies of the existing driver’s manual before reprinting the manual with additional information required by the bill.

The bill takes effect on the first day of the seventh month after enactment, but permits the chief administrator to take anticipatory administrative actions in advance of the bill’s effective date.

The bill is designated as “Nikhil’s Law” in honor of Nikhil Badlani of West Orange, an 11-year old exemplary student and aspiring musician who was tragically killed in a motor vehicle accident involving a driver who ran a stop sign.

As reported by the committee, this bill is identical to Senate Bill No. 2211, as amended and reported by the committee on this same date.

SENATE, No. 2211

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 16, 2014

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

SYNOPSIS

“Nikhil’s Law”; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and “STOP for Nikhil Safety Pledge.”

CURRENT VERSION OF TEXT

As introduced.



S2211 CODEY

2

1 AN ACT concerning driver safety education, designated “Nikhil’s
2 Law,” and amending R.S.39:3-10 and R.S.39:3-41.

3

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

6

7 1. R.S.39:3-10 is amended to read as follows:

8 39:3-10. No person shall drive a motor vehicle on a public
9 highway in this State unless the person is under supervision while
10 participating in a behind-the-wheel driving course pursuant to
11 section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a
12 validated permit, or a probationary or basic driver's license issued to
13 that person in accordance with this article.

14 No person under 18 years of age shall be issued a basic license to
15 drive motor vehicles, nor shall a person be issued a validated
16 permit, including a validated examination permit, until the applicant
17 has passed a satisfactory examination and other requirements as to
18 the applicant's ability as an operator. The examination shall include
19 a test of the applicant's vision, the applicant's ability to understand
20 traffic control devices, the applicant's knowledge of safe driving
21 practices and of the effects that ingestion of alcohol or drugs has on
22 a person's ability to operate a motor vehicle, the applicant's
23 knowledge of such portions of the mechanism of motor vehicles as
24 is necessary to insure the safe operation of a vehicle of the kind or
25 kinds indicated by the applicant, and of the laws and ordinary
26 usages of the road. No person shall sit for an examination for any
27 permit without exhibiting photo identification deemed acceptable
28 by the commission, unless that person is a high school student
29 participating in a course of automobile driving education approved
30 by the State Department of Education and conducted in a public,
31 parochial, or private school of this State, pursuant to section 1 of
32 P.L.1950, c.127 (C.39:3-13.1). The commission may waive the
33 written law knowledge examination for any person 18 years of age
34 or older possessing a valid driver's license issued by any other state,
35 the District of Columbia, or the United States Territories of
36 American Samoa, Guam, Puerto Rico, or the Virgin Islands. The
37 commission shall be required to provide that person with a booklet
38 that highlights those motor vehicle laws unique to New Jersey. A
39 road test shall be required for a probationary license and serve as a
40 demonstration of the applicant's ability to operate a vehicle of the
41 class designated. No person shall sit for a road test unless that
42 person exhibits photo identification deemed acceptable by the
43 commission. A high school student who has completed a course of
44 behind-the-wheel automobile driving education approved by the
45 State Department of Education and conducted in a public, parochial,

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.

S2211 CODEY

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

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

31 The commission shall issue a basic driver's license to operate a
32 motor vehicle other than a motorcycle to a person over 18 years of
33 age who previously has not been licensed to drive a motor vehicle
34 in this State or another jurisdiction only if that person has: (1)
35 operated a passenger automobile in compliance with the
36 requirements of this title for not less than one year, not including
37 any period of suspension or postponement, from the date of
38 issuance of a probationary license pursuant to section 4 of
39 P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two
40 motor vehicle points; (3) not been convicted in the previous year for
41 a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
42 50.4a), P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-
43 5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-
44 related violation the commission determines to be significant and
45 applicable pursuant to regulation; and (4) passed an examination of
46 the applicant's ability to operate a motor vehicle pursuant to this
47 section.

S2211 CODEY

1 The commission shall expand the driver's license examination by
2 20%. The additional questions to be added shall consist solely of
3 questions developed in conjunction with the [State] Department of
4 Health [and Senior Services] concerning the use of alcohol or
5 drugs as related to highway safety. The commission shall develop
6 in conjunction with the [State] Department of Health [and Senior
7 Services] supplements to the driver's manual which shall include
8 information necessary to answer any question on the driver's license
9 examination concerning alcohol or drugs as related to highway
10 safety.

11 Up to 20 questions may be added to the examination on subjects
12 to be determined by the commission that are of particular relevance
13 to youthful drivers, after consultation with the Director of the
14 Division of Highway Traffic Safety in the Department of Law and
15 Public Safety.

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

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

27 Any person applying for a driver's license to operate a motor
28 vehicle or motorized bicycle in this State shall surrender to the
29 commission any current driver's license issued to the applicant by
30 another state or jurisdiction upon the applicant's receipt of a driver's
31 license for this State. The commission shall refuse to issue a
32 driver's license if the applicant fails to comply with this provision.
33 An applicant for a permit or license who is less than 18 years of
34 age, and who holds a permit or license for a passenger automobile
35 issued by another state or country that is valid or has expired within
36 a time period designated by the commission, shall be subject to the
37 permit and license requirements and penalties applicable to State
38 permit and license applicants who are of the same age; except that if
39 the other state or country has permit or license standards
40 substantially similar to those of this State, the credentials of the
41 other state or country shall be acceptable.

42 The commission shall create classified licensing of drivers
43 covering the following classifications:

44 a. Motorcycles, except that for the purposes of this section,
45 motorcycle shall not include any three-wheeled motor vehicle
46 equipped with a single cab with glazing enclosing the occupant,
47 seats similar to those of a passenger vehicle or truck, seat belts and
48 automotive steering or any vehicle defined as a motorcycle pursuant

S2211 CODEY

1 to R.S.39:1-1 having a motor with a maximum piston displacement
2 that is less than 50 cubic centimeters or a motor that is rated at no
3 more than 1.5 brake horsepower with a maximum speed of no more
4 than 35 miles per hour on a flat surface.

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

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

8 d. All motor vehicles not included in classifications a. and b. A
9 license issued pursuant to this classification d. shall be referred to
10 as the "basic driver's license."

11 Every applicant for a license under classification b. shall be a
12 holder of a basic driver's license. Any issuance of a license under
13 classification b. shall be by endorsement on the basic driver's
14 license.

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

23 The commission, upon payment of the lawful fee and after it or a
24 person authorized by it has examined the applicant and is satisfied
25 of the applicant's ability as an operator, may, in its discretion, issue
26 a license to the applicant to drive a motor vehicle. The license shall
27 authorize him to drive any registered vehicle, of the kind or kinds
28 indicated, and shall expire, except as otherwise provided, on the last
29 day of the 48th calendar month following the calendar month in
30 which such license was issued.

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

44 The required fee for a license for the 48-month period shall be as
45 follows:

46

47 Motorcycle license or endorsement: \$18.

S2211 CODEY

1 Omnibus or school bus endorsement: \$18.

2

3 Basic driver's license: \$18.

4

5 The commission shall waive the payment of fees for issuance of
6 omnibus endorsements whenever an applicant establishes to the
7 commission's satisfaction that said applicant will use the omnibus
8 endorsement exclusively for operating omnibuses owned by a
9 nonprofit organization duly incorporated under Title 15 or 16 of the
10 Revised Statutes or Title 15A of the New Jersey 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 such period, such 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 such a permit or license, but no
21 defect of the applicant shall debar the applicant from receiving a
22 permit 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 In addition to requiring an applicant for a driver's license to
26 submit satisfactory proof of identity and age, the commission also
27 shall require the applicant to provide, as a condition for obtaining a
28 permit and license, satisfactory proof that the applicant's presence
29 in the United States is authorized under federal law.

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

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

S2211 CODEY

7

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

4 (cf: P.L.2011, c.13, s.1)

5
6 2. R.S.39:3-41 is amended to read as follows:

7 39:3-41. a. At the time of the issuance of an examination permit
8 or a special learner's permit to operate a motor vehicle, the
9 **【director】** chief administrator shall make available to each
10 applicant for the examination permit or special learner's permit a
11 driver's manual containing information required to be known and
12 followed by licensed drivers relating to licensing requirements.

13 b. At the time of any required examination for renewal of a
14 driver's license, the **【director】** chief administrator shall upon
15 request make available to each applicant for renewal a copy of the
16 manual and any supplements thereto.

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

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

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

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

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

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

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

1 I will talk safely by using a hands-free wireless telephone while
2 driving if I am of lawful age to do so and refrain from texting while
3 driving; and I will plan ahead and leave enough time to arrive at my
4 destination.”

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

11 (3) The chief administrator may distribute all remaining copies
12 of the existing driver’s manual before reprinting the manual with
13 the information required pursuant to this subsection.

14 (cf: P.L.2008, c.50, s.26)

15

16 3. This act shall take effect on the first day of the seventh
17 month after enactment, but the Chief Administrator of the Motor
18 Vehicle Commission may take such anticipatory administrative
19 action in advance as shall be necessary for the implementation of
20 the act.

21

22

23

STATEMENT

24

25 This bill requires the Chief Administrator of the Motor Vehicle
26 Commission to expand the driver’s license examination to include a
27 question asking whether the applicant is aware of the dangers of
28 failing to follow this State’s motor vehicle traffic laws and whether
29 they are aware that they have the option to take the “STOP for
30 Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge”
31 affirms the applicant’s commitment to traffic safety.

32 The bill also requires the chief administrator, in consultation
33 with the Nikhil Badlani Foundation, to include in the driver’s
34 manual information explaining the dangers of failing to follow this
35 State’s motor vehicle traffic laws. This information is to provide
36 interested drivers with instructions on how to take the “STOP for
37 Nikhil Safety Pledge.”

38 The chief administrator also is required by the bill to ensure that
39 drivers have the option of taking the pledge by filling out a standard
40 form made available at motor vehicle offices or by following
41 instructions on the appropriate website.

42 This bill is named “Nikhil’s Law” in honor of Nikhil Badlani of
43 West Orange, an 11-year old exemplary student and aspiring
44 musician who was tragically killed in a motor vehicle accident
45 involving a driver who ran a stop sign.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2211
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: JANUARY 28, 2015

SUMMARY

Synopsis: "Nikhil's Law"; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and "STOP for Nikhil Safety Pledge."

Type of Impact: Minimal, if any, fiscal impact.

Agencies Affected: Department of Transportation; New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Minimal, if any, fiscal impact.		
State Revenue	None.		

- The Office of Legislative Services (OLS) finds the fiscal impact of this bill to be minimal since the bill requires the inclusion of the specified information after the remaining materials currently in print have been distributed.
- The bill requires the New Jersey Motor Vehicle Commission (MVC) to include both in the driver's manual and on driving examinations the "STOP for Nikhil Safety Pledge" and a question asking test takers if they understand the consequences of violating traffic laws.
- The bill permits the MVC to utilize all existing copies of the driver's manual prior to including information explaining the dangers of failing to comply with State traffic laws and the "STOP for Nikhil Safety Pledge."

BILL DESCRIPTION

Senate Bill No. 2211 of 2014 requires the Chief Administrator of the New Jersey MVC to expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State's motor vehicle traffic laws and whether the

applicant is aware of the option to take the “STOP for Nikhil Safety Pledge.” The “STOP for Nikhil Safety Pledge” affirms the applicant’s commitment to traffic safety.

The bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver’s manual information explaining the dangers of failing to follow this State’s motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the “STOP for Nikhil Safety Pledge.”

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at MVC offices or by following instructions on the appropriate website.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the fiscal impact of this bill to be minimal since the bill only requires the inclusion of the specified information after the remaining materials currently in print have been distributed.

It is the understanding of OLS that the New Jersey Motor MVC regularly reviews and revises the driver’s manual prior to printing revised publications. The last revision was made in July of 2014 and includes 212 pages as featured in a PDF format. The driver’s manual is available to consumers via an electronic document online and in limited hard copy distribution at MVC locations and upon special request.

The MVC knowledge test on traffic laws, rules and regulations is administered by a computer. The OLS is unfamiliar with how the computer program for this exam is formatted; however, ideally this could be updated at a lower cost than if the test was in a hard copy format and needed to be updated and printed.

The manual and driver’s test would need to be updated on a delayed timetable to ensure that those studying for the exam received adequate time to study updated materials.

Additionally, it is unknown how many “pledges” would be signed and if a form is provided by MVC, as requested by the bill. It is unknown where these forms would be stored.

Section: Law and Public Safety

Analyst: Kristin Brunner Santos
Senior Fiscal Analyst

Approved: David J. Rosen
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 LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2211

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 7, 2015

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2211.

As amended and reported by the committee, Senate Bill No. 2211 requires the Chief Administrator of the Motor Vehicle Commission to expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to follow this State's motor vehicle traffic laws and whether they are aware that they have the option to take the "STOP for Nikhil Safety Pledge." The "STOP for Nikhil Safety Pledge" affirms the applicant's commitment to traffic safety.

The amended bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver's manual information explaining the dangers of failing to follow this State's motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the "STOP for Nikhil Safety Pledge."

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at motor vehicle offices or by following instructions on the appropriate website.

This bill is named "Nikhil's Law" in honor of Nikhil Badlani of West Orange, an 11-year old exemplary student and aspiring musician who was tragically killed in a motor vehicle accident involving a driver who ran a stop sign.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1781 (1R), also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to make a technical correction to a reference to the Chief Administrator of the Motor Vehicle Commission.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2211 STATE OF NEW JERSEY 216th LEGISLATURE

DATED: JUNE 30, 2015

SUMMARY

- Synopsis:** "Nikhil's Law"; requires MVC to inform and test drivers on dangers of failing to comply with traffic safety laws and "STOP for Nikhil Safety Pledge."
- Type of Impact:** Minimal, if any, fiscal impact.
- Agencies Affected:** Department of Transportation; New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Minimal, if any, fiscal impact.		
State Revenue	None.		

- The Office of Legislative Services (OLS) finds the fiscal impact of this bill to be minimal since the bill requires the inclusion of the specified information after the remaining materials currently in print have been distributed.
- The bill requires the New Jersey Motor Vehicle Commission (MVC) to include both in the driver's manual and on driving examinations the "STOP for Nikhil Safety Pledge" and a question asking test takers if they understand the consequences of violating traffic laws.
- The bill permits the MVC to utilize all existing copies of the driver's manual prior to including information explaining the dangers of failing to comply with State traffic laws and the "STOP for Nikhil Safety Pledge."

BILL DESCRIPTION

Senate Bill No. 2211 (1R) of 2014 requires the Chief Administrator of the New Jersey MVC to expand the driver's license examination to include a question asking whether the applicant is

aware of the dangers of failing to follow this State's motor vehicle traffic laws and whether the applicant is aware of the option to take the "STOP for Nikhil Safety Pledge." The "STOP for Nikhil Safety Pledge" affirms the applicant's commitment to traffic safety.

The bill also requires the chief administrator, in consultation with the Nikhil Badlani Foundation, to include in the driver's manual information explaining the dangers of failing to follow this State's motor vehicle traffic laws. This information is to provide interested drivers with instructions on how to take the "STOP for Nikhil Safety Pledge."

The chief administrator also is required by the bill to ensure that drivers have the option of taking the pledge by filling out a standard form made available at MVC offices or by following instructions on the appropriate website.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the fiscal impact of this bill to be minimal since the bill only requires the inclusion of the specified information after the remaining materials currently in print have been distributed.

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The manual and driver's test would need to be updated on a delayed timetable to ensure that those studying for the exam received adequate time to study updated materials.

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Section: Law and Public Safety
Analyst: Kristin Brunner Santos
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Approved: David J. Rosen
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