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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

- "NJ tags new drivers with decal," Burlington County Times, 4-16-09, p. A1
- "Young drivers will be forced to display identifying decals," The Press, 4-16-09, p. A4
- "The carlet letter? N.J. tags newby drivers with decals," The Trentonian, 4-16-09, p. 4
- "Corzine enacts N.J.'s latest effort at teen driving safety," Courier News, 4-16-09, p. A7
- "Teen drivers to get decals," Asbury Park Press, 4-16-09, p. A1
- "Corzine signs 'Kyleigh's Law,' requires decals for young drivers," Daily Record, 4-16-09, p. A1
- "Law to help police ID probationary drivers," The Record, 4-16-09, p. A10
- "Teenage drivers focus of 2 laws," The Times, 4-16-09, p.A1
- "Tighter rules for teenage drivers enacted," The Star Ledger, 4-16-09, p. 018
- "N.J. gets tougher on young drivers," The Philadelphia Enquirer, 4-16-09, p. A01
- "Young drivers will be forced to display identifying decals," The Press, 4-16-09, p. A4

LAW/IS 9/1/09

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 2314**

**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

ADOPTED NOVEMBER 13, 2008

**Sponsored by:**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Essex, Morris, Somerset and Union)**

**Assemblyman ANTHONY CHIAPPONE**

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**Assemblyman PETER J. BARNES, III**

**District 18 (Middlesex)**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex)**

**Assemblywoman MARY PAT ANGELINI**

**District 11 (Monmouth)**

**Assemblyman MICHAEL J. DOHERTY**

**District 23 (Warren and Hunterdon)**

**Co-Sponsored by:**

**Senators Beck, Oroho, Pennacchio, Assemblywomen Rodriguez, Wagner,**

**Assemblyman Diegnan, Assemblywomen Stender, McHose and**

**Assemblyman Chiusano**

**SYNOPSIS**

“Kyleigh’s law,” requires holders of special learner’s permits, examination permits, and provisional driver’s licenses to display certain decals.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Transportation Committee.

(Sponsorship Updated As Of: 3/6/2009)

1 AN ACT concerning special learner's permits, examination permits,  
2 and provisional driver's licenses, designated as "Kyleigh's Law,"  
3 and amending various parts of the statutory law.

4

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

7

8 1. Section 6 of P.L.1977, c.25 (C.39:3-13.2a) is amended to  
9 read as follows:

10 6. a. Any person to whom a special learner's permit has been  
11 issued pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1), upon  
12 successful completion of a State approved written examination, eye  
13 examination, and an approved minimum six-hour behind-the-wheel  
14 driving course, shall be entitled to retain the special learner's permit  
15 in his own possession. The special learner's permit shall be  
16 validated by the **[division]** commission for the purpose of driving a  
17 motor vehicle on a public highway in this State after the holder has  
18 successfully met the necessary examination requirements, and upon  
19 the successful completion of a behind-the-wheel driving course.  
20 Such person may operate a motor vehicle of the class for which a  
21 basic driver's license is required except during the hours between  
22 11:01 p.m. and 5:00 a.m. while in the company and under the  
23 supervision, from the front passenger seat, of a licensed motor  
24 vehicle driver of this State who is over 21 years of age and has been  
25 licensed to drive a passenger automobile for at least three years.  
26 Such special permit shall be valid until such person's seventeenth  
27 birthday or until he qualifies for a provisional license. Except  
28 during an instructional period of a behind-the-wheel driving course,  
29 the holder of a special permit shall operate a passenger automobile  
30 with only the following passengers: (1) the supervising passenger;  
31 (2) persons who share the permit holder's residence; and (3) one  
32 additional passenger who does not reside with the permit holder.  
33 The holder of the special learner's permit shall not use any  
34 interactive wireless communication device, except in an emergency,  
35 while operating a moving passenger automobile on a public road or  
36 highway. "Use" shall include, but not be limited to, talking or  
37 listening on any interactive wireless communication device or  
38 operating its keys, buttons, or other controls. All occupants of the  
39 automobile shall be secured in a properly adjusted and fastened seat  
40 belt or child restraint system.

41 The chief administrator shall provide the holder of a special  
42 learner's permit with two removable, transferable, highly visible,  
43 reflective decals indicating that the driver of the vehicle may be the  
44 holder of a special learner's permit. The decals shall be designed

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

12 b. When notified by a court of competent jurisdiction that a  
13 special learner's permit holder has been convicted of a violation  
14 which causes the permit holder to accumulate more than two motor  
15 vehicle points or has been convicted of a violation of R.S.39:4-50;  
16 section 2 of P.L.1981, c.512 (C.39:4-50.4a); P.L.1992, c.189  
17 (C.39:4-50.14); R.S.39:4-129; N.J.S.2C:11-5; subsection c. of  
18 N.J.S.2C:12-1; or any other motor vehicle-related law the  
19 **[director]** chief administrator determines to be significant and  
20 applicable pursuant to regulation, and in addition to any other  
21 penalty that may be imposed, the **[director]** chief administrator  
22 shall, without the exercise of discretion or a hearing, suspend the  
23 holder's special learner's permit for 90 days. The **[director]** chief  
24 administrator shall restore the permit following the term of the  
25 permit suspension if the permit holder, regardless of age,  
26 satisfactorily completes a remedial training course of not less than  
27 four hours which may be given by the **[division]** commission, a  
28 drivers' school licensed by the **[director]** chief administrator  
29 pursuant to section 2 of P.L.1951, c.216 (C.39:12-2), or any  
30 statewide safety organization approved by the **[director]** chief  
31 administrator. The course shall be administered pursuant to rules  
32 and regulations promulgated by the **[director]** chief administrator  
33 and subject to oversight by the **[division]** commission. The  
34 authority of the **[director]** chief administrator to suspend, revoke,  
35 or deny issuance of an initial or renewal license to operate a drivers'  
36 school or an instructor's license, and to assess fines, pursuant to  
37 P.L.1951, c.216 (C.39:12-1 et seq.) shall apply to any violations  
38 related to the administration of a remedial training course. The  
39 permit holder shall also remit a course fee prior to the  
40 commencement of the course. If, after completion of the remedial  
41 training course, the **[director]** chief administrator is notified by a  
42 court of competent jurisdiction that the special learner's permit  
43 holder has been convicted of any motor vehicle violation which  
44 results in the imposition of any motor vehicle points or has been  
45 convicted of a violation of R.S.39:4-50; section 2 of P.L.1981,  
46 c.512 (C.39:4-50.4a); P.L.1992, c.189 (C.39:4-50.14); R.S.39:4-

1 129; N.J.S.2C:11-5; subsection c. of N.J.S.2C:12-1; or any other  
2 motor vehicle-related law the [director] chief administrator deems  
3 significant and applicable pursuant to regulation, the [director]  
4 chief administrator, without the exercise of discretion or a hearing,  
5 shall also postpone the issuance of a basic license for 90 days.  
6 When the [director] chief administrator is notified by a court of  
7 competent jurisdiction that a special learner's permit holder has  
8 been convicted of any alcohol or drug-related offense unrelated to  
9 the operation of a motor vehicle and he is not otherwise subject to  
10 any other suspension penalty therefor, the [director] chief  
11 administrator shall, without the exercise of discretion or a hearing,  
12 suspend the special learner's permit for six months.  
13 (cf: P.L.2001, c.420, s.7)

14

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

16 39:3-13. The chief administrator may, in his discretion, issue to  
17 a person over 17 years of age an examination permit, under the  
18 hand and seal of the chief administrator, allowing such person, for  
19 the purpose of fitting himself to become a licensed driver, to  
20 operate a designated class of motor vehicles other than passenger  
21 automobiles and motorcycles of persons licensed to operate  
22 motorcycles only for a specified period of not more than 90 days,  
23 while in the company and under the supervision of a driver licensed  
24 to operate such designated class of motor vehicles.

25 The chief administrator, in his discretion, may issue for a  
26 specified period of not less than one year a passenger automobile or  
27 motorcycle-only examination permit to a person over 17 years of  
28 age regardless of whether a person has completed a course of  
29 behind-the-wheel automobile driving education pursuant to section  
30 1 of P.L.1950, c.127 (C.39:3-13.1). An examination permit  
31 applicant who is under 18 years of age shall obtain the signature of  
32 a parent or guardian for submission to the commission on a form  
33 prescribed by the chief administrator. The chief administrator shall  
34 postpone for six months the driving privileges of any person who  
35 submits a fraudulent signature for a parent or guardian.

36 For six months immediately following the validation of an  
37 examination permit, and until the holder passes the road test, the  
38 holder who is less than 21 years of age shall operate the passenger  
39 automobile or motorcycle only when accompanied by, and under  
40 the supervision of, a New Jersey licensed driver who is at least 21  
41 years of age and has been licensed to drive a passenger automobile  
42 or motorcycle, as the case may be, for not less than three years.  
43 The holder of an examination permit who is at least 21 years of age  
44 shall operate the passenger automobile or motorcycle for the first  
45 three months under such supervision and until the holder passes the  
46 road test. The supervising driver of the passenger automobile shall  
47 sit in the front seat of the vehicle. Whenever operating a vehicle

1 while in possession of an examination permit, the holder of the  
2 permit shall operate the passenger automobile with only one  
3 additional passenger in the vehicle excluding persons with whom  
4 the holder resides, except that this passenger restriction shall not  
5 apply when either the permit holder or one other passenger is at  
6 least 21 years of age. Further, the holder of the permit who is less  
7 than 21 years of age shall not drive during the hours between 12:01  
8 a.m. and 5 a.m.; provided, however, that this condition may be  
9 waived for an emergency which, in the judgment of local police, is  
10 of sufficient severity and magnitude to substantially endanger the  
11 health, safety, welfare, or property of a person, or for any bona fide  
12 employment or religion-related activity if the employer or  
13 appropriate religious authority provides written verification of such  
14 activity in a manner provided for by the [director] chief  
15 administrator. The holder of the examination permit shall not use  
16 any interactive wireless communication device, except in an  
17 emergency, while operating a moving passenger automobile on a  
18 public road or highway. "Use" shall include, but not be limited to,  
19 talking or listening on any interactive wireless communication  
20 device or operating its keys, buttons, or other controls. The  
21 passenger automobile permit holder shall ensure that all occupants  
22 of the vehicle are secured in a properly adjusted and fastened seat  
23 belt or child restraint system.

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

39 When notified by a court of competent jurisdiction that an  
40 examination permit holder has been convicted of a violation which  
41 causes the permit holder to accumulate more than two motor vehicle  
42 points or has been convicted of a violation of R.S.39:4-50; section 2  
43 of P.L.1981, c.512 (C.39:4-50.4a); P.L.1992, c.189 (C.39:4-50.14);  
44 R.S.39:4-129; N.J.S.2C:11-5; subsection c. of N.J.S.2C:12-1; or any  
45 other motor vehicle-related law the chief administrator deems  
46 significant and applicable pursuant to regulation, in addition to any  
47 other penalty that may be imposed, the chief administrator shall,

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

30 An examination permit for a motorcycle or a commercial motor  
31 vehicle issued to a handicapped person, as determined by the New  
32 Jersey Motor Vehicle Commission after consultation with the  
33 Department of Education, shall be valid for nine months or until the  
34 completion of the road test portion of his license examination,  
35 whichever period is shorter.

36 Each permit shall be sufficient license for the person to operate  
37 such designated class of motor vehicles in this State during the  
38 period specified, while in the company of and under the control of a  
39 driver licensed by this State to operate such designated class of  
40 motor vehicles, or, in the case of a commercial driver license  
41 permit, while in the company of and under the control of a holder of  
42 a valid commercial driver license for the appropriate license class  
43 and with the appropriate endorsements issued by this or any other  
44 state. Such person, as well as the licensed driver, except for a motor  
45 vehicle examiner administering a driving skills test, shall be held  
46 accountable for all violations of this subtitle committed by such  
47 person while in the presence of the licensed driver. In addition to



1 requiring an applicant for an examination permit to submit  
2 satisfactory proof of identity and age, the chief administrator also  
3 shall require the applicant to provide, as a condition for obtaining  
4 the permit, satisfactory proof that the applicant's presence in the  
5 United States is authorized under federal law. If the chief  
6 administrator has reasonable cause to suspect that any document  
7 presented by an applicant as proof of identity, age, or legal  
8 residency is altered, false, or otherwise invalid, the chief  
9 administrator shall refuse to grant the permit until such time as the  
10 document may be verified by the issuing agency to the chief  
11 administrator's satisfaction.

12 The holder of an examination permit shall be required to take a  
13 road test in order to obtain a provisional license. No road test for  
14 any person who has been issued an examination permit to operate a  
15 passenger vehicle shall be given unless the person has met the  
16 requirements of this section. No road test for a provisional license  
17 shall be given unless the applicant has first secured an examination  
18 permit and no such road test shall be scheduled for an applicant  
19 who has secured an examination permit for a passenger vehicle or a  
20 motorcycle for which an endorsement is not required until at least  
21 six months for an applicant under 21 years of age or three months  
22 for an applicant 21 years of age or older shall have elapsed  
23 following the validation of the examination permit for practice  
24 driving or, in the case of an examination permit for other vehicles,  
25 until 20 days have elapsed. In the case of an omnibus endorsement  
26 or school bus, no road test shall be scheduled until at least 10 days  
27 shall have elapsed. Every applicant for an examination permit to  
28 qualify for an omnibus endorsement or an articulated vehicle  
29 endorsement shall be a holder of a valid basic driver's license.

30 The required fees for special learners' permits and examination  
31 permits shall be as follows:

- 32
- 33 Basic driver's license.....up to \$10
- 34
- 35 Motorcycle license or endorsement.....\$ 5
- 36
- 37 Omnibus or school bus endorsement.....\$25
- 38

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

46 The specified period for which a permit is issued may be  
47 extended for not more than an additional 60 days, without payment

1 of added fee, upon application made by the holder thereof, where  
2 the holder has applied to take the examination for a driver's license  
3 prior to the expiration of the original period for which the permit  
4 was issued and the chief administrator was unable to schedule an  
5 examination during said period.

6 As a condition for the issuance of an examination permit under  
7 this section, the chief administrator shall secure a digitized picture  
8 of the applicant. The picture shall be stored in a manner prescribed  
9 by the chief administrator and may be displayed on the examination  
10 permit.

11 The chief administrator may require that whenever a person to  
12 whom an examination permit has been issued has reconstructive or  
13 cosmetic surgery which significantly alters the person's facial  
14 features, the person shall notify the chief administrator who may  
15 require the picture of the person to be updated.

16 Specific use of the examination permit and any information  
17 stored or encoded, electronically or otherwise, in relation thereto  
18 shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and  
19 the federal Driver's Privacy Protection Act of 1994, Pub. L.103-  
20 322. Notwithstanding the provisions of any other law to the  
21 contrary, the digitized picture or any access thereto or any use  
22 thereof shall not be sold, leased or exchanged for value.

23 (cf: P.L.2003, c.204, s.4)

24  
25 3. Section 4 of P.L.1950, c.127 (C.39:3-13.4) is amended to  
26 read as follows:

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

38 b. The holder of a provisional license shall be permitted to  
39 operate the passenger automobile with only one additional  
40 passenger in the vehicle besides persons with whom the holder  
41 resides, except that this passenger restriction shall not apply when  
42 either the holder of the provisional license or one other passenger is  
43 at least 21 years of age. Further, the holder of the provisional  
44 license who is under 21 years of age shall not drive during the hours  
45 between 12:01 a.m. and 5 a.m.; provided however, that this  
46 condition may be waived for an emergency which, in the judgment  
47 of local police, is of sufficient severity and magnitude to

1 substantially endanger the health, safety, welfare, or property of a  
2 person or for any bona fide employment or religion-related activity  
3 if the employer or appropriate religious authority provides written  
4 verification of such activity in a manner provided for by the  
5 **[director] chief administrator**.

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

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

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

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

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

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

25 (cf: P.L.2001, c.420, s.8)

26  
27 4. Section 11 of P.L.2001, c.420 (C.39:3-13.8) is amended to  
28 read as follows:

29 11. A fine of \$100 shall be imposed for violating the following  
30 conditions of a special [learners] learner's permit, an examination  
31 permit or a provisional driver's license:

- 32 a. supervision requirements for permit holders;
- 33 b. passenger restrictions;
- 34 c. hours of operation;
- 35 d. seat belt requirements;
- 36 e. interactive wireless communication device use restrictions;

37 [or]

38 f. any other violation of the conditions of a permit or  
39 provisional license as the [director] chief administrator may  
40 designate; or

41 g. decal requirements [for permit and provisional license  
42 holders] .

43 (cf: P.L.2001, c.420, s.11)

44  
45 5. This act shall take effect on the first day of the 13th month  
46 after enactment, but the Chief Administrator of the New Jersey

SCS for S2314 MADDEN, T. KEAN

11

- 1 Motor Vehicle Commission may take such anticipatory action
- 2 necessary to implement the provisions of this act.

1 the decals not to exceed the actual cost of producing and  
2 distributing the decals. The decals shall be displayed on the front  
3 and back of the vehicle while the vehicle is being driven by the  
4 holder of a provisional license, in a manner prescribed by the chief  
5 administrator, provided they are clearly visible to law enforcement  
6 officers. The holder of a provisional license shall not operate a  
7 vehicle unless the decals are displayed. The decal shall be removed  
8 once the driver's provisional license period has ended.

9 g. A provisional license may be sent by mail and shall be  
10 clearly identifiable and distinguishable in appearance from a basic  
11 license by any name, mark, color or device deemed appropriate by  
12 the **[director]** chief administrator.

13 (cf: P.L.2001, c.420, s.8)

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15 4. Section 11 of P.L.2001, c.420 (C.39:3-13.8) is amended to  
16 read as follows:

17 11. A fine of \$100 shall be imposed for violating the following  
18 conditions of a special learners permit, an examination permit or a  
19 provisional driver's license:

- 20 a. supervision requirements for permit holders;
- 21 b. passenger restrictions;
- 22 c. hours of operation;
- 23 d. seat belt requirements;
- 24 e. interactive wireless communication device use restrictions;

25 **[or]**

26 f. any other violation of the conditions of a permit or  
27 provisional license as the **[director]** chief administrator may  
28 designate; or

29 g. decal requirements for permit and provisional license holders.

30 (cf: P.L.2001, c.420, s.11)

31  
32 5. This act shall take effect on the first day of the 13th month  
33 after enactment, but the Chief Administrator of the New Jersey  
34 Motor Vehicle Commission may take such anticipatory action  
35 necessary to implement the provisions of this act.

36  
37  
38 *SPONSORS* STATEMENT

39  
40 This bill would require holders of special learner's permits,  
41 examination permits, and provisional driver's licenses to display a  
42 decal on the front and rear of the motor vehicle they are driving so  
43 that it is apparent to law enforcement officers that the driver is the  
44 holder of such a permit or license.

45 Under the bill, the Chief Administrator of the Motor Vehicle  
46 Commission (MVC) is responsible for designing the decals. The  
47 two removable, transferable decals are to be highly visible, and they  
48 are to be reflective so that they can be seen at night. The holder of

**S2314 MADDEN, T. KEAN**

11

1 the permit or provisional license is prohibited from operating a  
2 vehicle unless the decals are displayed. The decals are to be  
3 removed once the driver's special permit, examination permit, or  
4 provisional license period has ended. The bill authorizes the chief  
5 administrator to charge a fee for the decals not to exceed the actual  
6 cost of producing and distributing the decals.

7 A violation of the decal requirement would result in a fine of  
8 \$100.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 2314**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 13, 2008

The Senate Transportation reports favorably Senate Committee Substitute for Senate Bill No. 2314.

As reported, this substitute bill would require holders of special learner's permits, examination permits, and provisional driver's licenses to display a decal on the motor vehicle they are driving so that it is apparent to law enforcement officers that the driver is the holder of such a permit or license.

Under the bill, the Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) is responsible for designing the decals, in consultation with the Division of Highway Traffic Safety in the Department of Law and Public Safety. The two removable, transferable decals are to be highly visible, and they are to be reflective so that they can be seen at night. The holder of the permit or provisional license is prohibited from operating a vehicle unless the decals are displayed. The decals are to be removed once the driver's special permit, examination permit, or provisional license period has ended. The bill authorizes the chief administrator to charge a fee for the decals not to exceed the actual cost of producing and distributing the decals.

A violation of the decal requirement would result in a fine of \$100.

The provisions of substitute bill implement certain recommendations of the Teen Driver Study Commission made in the commission's March 2008 Final Report.

This substitute bill is in memory of Kyleigh Dalessio, a 16-year old honor student and recognized athlete from Long Valley, New Jersey who died in an accident involving a young driver with multiple passengers.

This substitute bill is identical to Assembly Committee Substitute for Assembly Bill Nos. 3069 and 2089.



1 the decals not to exceed the actual cost of producing and  
2 distributing the decals. The decals shall be displayed on the front  
3 and back of the vehicle while the vehicle is being driven by the  
4 holder of a provisional license, in a manner prescribed by the chief  
5 administrator, provided they are clearly visible to law enforcement  
6 officers. The holder of a provisional license shall not operate a  
7 vehicle unless the decals are displayed. The decal shall be removed  
8 once the driver's provisional license period has ended.

9 g. A provisional license may be sent by mail and shall be  
10 clearly identifiable and distinguishable in appearance from a basic  
11 license by any name, mark, color or device deemed appropriate by  
12 the **[director]** chief administrator.

13 (cf: P.L.2001, c.420, s.8)

14  
15 4. Section 11 of P.L.2001, c.420 (C.39:3-13.8) is amended to  
16 read as follows:

17 11. A fine of \$100 shall be imposed for violating the following  
18 conditions of a special learners permit, an examination permit or a  
19 provisional driver's license:

- 20 a. supervision requirements for permit holders;
- 21 b. passenger restrictions;
- 22 c. hours of operation;
- 23 d. seat belt requirements;
- 24 e. interactive wireless communication device use restrictions;

25 **[or]**

26 f. any other violation of the conditions of a permit or  
27 provisional license as the **[director]** chief administrator may  
28 designate; or

29 g. decal requirements for permit and provisional license holders.

30 (cf: P.L.2001, c.420, s.11)

31  
32 5. This act shall take effect on the first day of the 13th month  
33 after enactment, but the Chief Administrator of the New Jersey  
34 Motor Vehicle Commission may take such anticipatory action  
35 necessary to implement the provisions of this act.

36  
37  
38 *SPONSOR'S* STATEMENT  
39

40 This bill would require holders of special learner's permits,  
41 examination permits, and provisional driver's licenses to display a  
42 decal on the front and rear of the motor vehicle they are driving so  
43 that it is apparent to law enforcement officers that the driver is the  
44 holder of such a permit or license.

45 Under the bill, the Chief Administrator of the Motor Vehicle  
46 Commission (MVC) is responsible for designing the decals. The  
47 two removable, transferable decals are to be highly visible, and they  
48 are to be reflective so that they can be seen at night. The holder of

**A3069 CHIAPPONE, DOHERTY**

11

1 the permit or provisional license is prohibited from operating a  
2 vehicle unless the decals are displayed. The decals are to be  
3 removed once the driver's special permit, examination permit, or  
4 provisional license period has ended. The bill authorizes the chief  
5 administrator to charge a fee for the decals not to exceed the actual  
6 cost of producing and distributing the decals.

7 A violation of the decal requirement would result in a fine of  
8 \$100.

1       3. Section 11 of P.L.2001, c.420 (C.39:3-13.8) is amended to  
2 read as follows:

3       11. A fine of ~~【\$100】~~ \$500 shall be imposed upon the driver and  
4 an additional \$500 shall be imposed upon the parent or guardian of  
5 the driver for violating the following conditions of a special  
6 learners permit, an examination permit or a provisional driver's  
7 license:

- 8       a. supervision requirements for permit holders;
- 9       b. passenger restrictions;
- 10      c. hours of operation;
- 11      d. seat belt requirements;
- 12      e. interactive wireless communication device use restrictions;

13 **【or】**

14      f. any other violation of the conditions of a permit or  
15 provisional license as the director may designate; or

16      g. hang tag requirements, as required in section 4 of P.L.1950,  
17 c.127 (C.39:3-13.4).

18 (cf: P.L.2001, c.420, s.11)

19

20       4. This act shall take effect on the first day of the eighth month  
21 after enactment.

22

23

24                   SPONSOR'S STATEMENT

25

26       This bill would enhance the laws concerning provisional driver's  
27 licenses. Specifically, the bill would:

28       1) require that the parent or guardian of a person under the age  
29 of 18 receive an informational brochure which clearly sets forth the  
30 special rules that apply to a holder of an examination permit or a  
31 provisional license;

32       2) require the chief administrator to issue an orange hang tag to  
33 be displayed when a vehicle is being driven by the holder of a  
34 provisional license;

35       3) require that an applicant for a provisional license wait one  
36 year after obtaining a learner's permit before being issued a  
37 provisional license;

38       4) increase the fine for a violation of the provisions of a special  
39 learners permit, an examination permit or a provisional driver's  
40 license from a fine of \$100 to a fine of \$500 for the driver and \$500  
41 for the parents of the driver;

42       5) change the threshold for requiring a remedial training course  
43 from more than two motor vehicle points to two or more motor  
44 vehicle points;

45       6) change the threshold for mandatory license suspension from  
46 two or more motor vehicle offenses to any motor vehicle offense;  
47 and

1       7) increase the mandatory license suspension from three  
2 months to five months.

3       The sponsor has introduced this bill in memory of Kyleigh  
4 Dalessio, a 16-year old honor student and recognized athlete from  
5 Long Valley, New Jersey who died in an accident involving a  
6 young driver with multiple passengers.

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND  
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, Nos. 3069 and 2089**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 13, 2008

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 3069 and 2089.

As reported, this substitute bill would require holders of special learner's permits, examination permits, and provisional driver's licenses to display a decal on the motor vehicle they are driving so that it is apparent to law enforcement officers that the driver is the holder of such a permit or license.

Under the bill, the Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) is responsible for designing the decals, in consultation with the Division of Highway Traffic Safety in the Department of Law and Public Safety. The two removable, transferable decals are to be highly visible, and they are to be reflective so that they can be seen at night. The holder of the permit or provisional license is prohibited from operating a vehicle unless the decals are displayed. The decals are to be removed once the driver's special permit, examination permit, or provisional license period has ended. The bill authorizes the chief administrator to charge a fee for the decals not to exceed the actual cost of producing and distributing the decals.

A violation of the decal requirement would result in a fine of \$100.

The provisions of substitute bill implement certain recommendations of the Teen Driver Study Commission made in the commission's March 2008 Final Report.

This substitute bill is in memory of Kyleigh Dalessio, a 16-year old honor student and recognized athlete from Long Valley, New Jersey who died in an accident involving a young driver with multiple passengers.



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JON S. CORZINE  
Governor

**For Immediate Release:**  
**Date:** April 15, 2009

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**Phone:** 609-777-2600

## Governor Corzine Signs Kyleigh's Law

### New Jersey is first state to have teen driver decal

**CHESTER** -Governor Jon S. Corzine today signed Kyleigh's Law, making New Jersey the first state in the nation to have a teen driver decal law. Named in honor of 16-year old Kyleigh D'Alessio, [S-2314/A-3069](#) requires the use of an identifier on vehicles driven by teens holding a permit or provisional license.

"Having a driver's license is an awesome responsibility for any teenager," Governor Corzine said. "The legislation I am signing today initiates several preventative measures to help avoid further teen driving tragedies like Kyleigh's, while ensuring that our young people are better prepared to safely take to the roadways."

The new law also will assist police in identifying young drivers who may be in violation of the Graduated Driver License (GDL) restrictions.

"As a father I cannot even begin to imagine what the pain is like for family and friends of Kyleigh D'Alessio and the thousands of other teenagers who die in automobile accidents each year," said Senator Thomas H. Kean, Jr. (R-Essex, Morris, Union). "This legislation is designed to encourage our young drivers to drive safely and to comply with the rules of the road. It will also assist law enforcement personnel in identifying new drivers that might not be complying with the rules and thus, putting themselves, passengers and other drivers at risk. Through education and action we can save lives and help avert another tragedy."

Governor Corzine also signed [S-16/A-3070](#), revising nighttime driving and passenger restrictions on permit and provisional drivers. New Jersey's Graduated Driver License (GDL) law currently restricts teens on a provisional license from driving between midnight and 5 a.m. Although only 15 percent of miles driven by 16 and 17-year-olds are between 9 p.m. and 6 a.m., more than 40 percent of their fatal crashes occur during this time period. The bill also renames the provisional license "probationary."

"We live in the most densely populated state in the nation in an era of constant distractions," said Senator Richard J. Codey (D-Essex). "Over the last few years, we've witnessed a number of tragic accidents that could have been avoided. Hopefully these changes will make sure that inexperienced drivers have greater supervision and less distractions while they're still learning the ropes."

"Statistics show that 40 percent of fatal teen car accidents occur between the hours of 9 p.m. and 6 a.m.," said Senator Fred H. Madden, (D-Camden, Gloucester). "This new law will work to protect all drivers by reducing these numbers, while also making it easier for law enforcement officers to identify teen drivers. This bill isn't about profiling, but instead ensuring that parents, young drivers and police officers are able to take an active role in protecting our roadways."

The bills signed today address four recommendations contained in the Teen Driver Study Commission's March 2008 report. Three of those recommendations are essential for stemming the tide of teen driver crashes that last year claimed 60 teen lives - 37 drivers and 23 passengers.

"Every nine minutes a teen crashes in New Jersey," Division of Highway Traffic Safety Director Pam Fischer said. "The legislation signed today by Governor Corzine will help to ensure that young drivers, who clearly face a higher risk on our roadways, remain safe during the most dangerous time of their lives. These bills will help reduce teen crashes and ultimately save young lives."

According to the NJ Teen Driver Study Commission Report, a teen driver is 158 percent more likely to be killed in a crash while carrying two passengers. The risk increases to 207 percent when there are three passengers in a teen driver's car. The increased risk is often the result of distraction and others in

the car encouraging the teen driver to take risks with most teen crashes in NJ occur after school.

"The only way to become better at anything is through practice, and driving is no exception," said Assemblyman John Wisniewski (D-Middlesex), chairman of the Assembly Transportation, Public Works and Independent Authorities Committee. "Providing teen drivers with adequate behind-the-wheel time, standardized driver education and a healthy respect for the consequences of bad driving will help make them safer, more responsible motorists."

"We need to give newly minted drivers the tools they need to become safe, responsible motorists," said Assemblyman Anthony Chiappone (D-Hudson). "Encouraging safe driving practices, enhancing penalties for bad driving and increasing the amount of time required behind the wheel will go a long way toward that goal."

In total, the report outlines 47 recommendations to help reduce teen crashes, and ultimately save lives. While the State has the oldest minimum driving age in the nation (17) and a strong

Graduated Driver License (GDL) law that addresses teen risk factors (i.e., passengers, nighttime driving, cell phones, and seat belts), the Commission determined that more can and must be done to reduce teen driver crashes and save lives.

"Like learning any other skill, learning to drive well takes time," said Assemblyman Peter J. Barnes III. (D-Middlesex) "Ensuring our teens have the technical ability and good measure that come with practice will make them safer and more careful when they're on the road."

Between 2002 and 2008, more than 400 teen drivers and teens who were passengers in teen-driven vehicles, died on the state's roadways.

"This package will help reinforce the message to teens that driving is a privilege, not a right," said Assemblywoman Pamela R. Lampitt (D-Camden). "We need to better impress upon teens that getting behind the wheel carries with it real and tremendous responsibility for their passengers, other drivers and, most importantly, themselves."

"Making sure that our teenagers understand the serious responsibility that comes along with obtaining a drivers license is imperative," said Assemblyman John F. McKeon. (D-Essex) "Distinguishing learning teen drivers from the rest of the driving community will make our roads safer for everyone."

"Despite having a strong Graduated Driving Licensing law, we have experienced a rash of fatal crashes involving teenage drivers during the past few years," said Assemblywoman Mary Pat Angelini, (R-Monmouth). "This legislation the governor has signed today will enhance and strengthen that law and provide constructive and improved guidelines that will ultimately save lives."

Kyleigh's Law was sponsored by Senators Fred H. Madden, Jr. (D-Camden, Gloucester) and Thomas H. Kean, Jr. (R-Essex, Morris, Union); Assemblymen Anthony Chiappone (D-Hudson), Peter J. Barnes, III (D-Middlesex), John F. McKeon (D-Essex), Michael J. Doherty, (R-Warren, Hunterdon) and Assemblywoman Mary Pat Angelini (R-Monmouth).

S-16/ A-3070 was sponsored by Senators Richard J. Codey (D-Essex) and M. Teresa Ruiz (D-Essex, Union), Assemblywomen Pamela R. Lampitt (D-Camden) and Mary Pat Angelini (R-Monmouth) as well as Assemblymen John S. Wisniewski (D-Middlesex), Anthony Chiappone (D-Hudson) and Michael J. Doherty, (R-Warren, Hunterdon).

###

Photos from Governor Corzine's public events are available in the Governor's Newsroom section on the State of New Jersey web page, <http://www.nj.gov/governor/news/>

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