

39:3-13.2a

LEGISLATIVE HISTORY CHECKLIST
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(Learner's permit--modify provisions
against driving at night)

NJSA: 39:3-13.2a

LAWS OF: 1993

CHAPTER: 287

BILL NO: A820

SPONSOR(S) Rooney

DATE INTRODUCED: February 3, 1992

COMMITTEE: **ASSEMBLY:** Judiciary

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** December 17, 1992

SENATE: December 2, 1993

DATE OF APPROVAL: December 16, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clipping--attached.
"Senate oks night driving...;" 12-3-93, Bergen Record.

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 820

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1992

By Assemblyman ROONEY, Assemblywomen FARRAGHER
and Wright

1 AN ACT concerning motor vehicle learner's permits and
2 amending P.L.1977, c.25.

3

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

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

8 6. Any person to whom a special learner's permit has been
9 issued pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1),
10 upon successful completion of a behind-the-wheel driving course
11 conducted by a licensed drivers' school or of a public, parochial
12 or private school driving education course, shall be entitled to
13 retain the special learner's permit in his own possession. Such
14 person may operate a motor vehicle of the class for which a basic
15 driver's license is required [during the hours between sunrise and
16 sunset] ¹except during the hours between 12:01 a.m. and 5:00
17 a.m.¹ while in the company and under the control of a licensed
18 motor vehicle driver of this State who has had at least three
19 years' experience as a licensed motor vehicle driver. Such
20 special permit shall be valid for 90 days after such person's
21 seventeenth birthday or until the completion of the road test
22 portion of his license examination, whichever period is shorter;
23 provided, however, that a special permit issued to a handicapped
24 person, as determined by the Division of Motor Vehicles after
25 consultation with the Department of Education, shall be valid for
26 nine months after such person's seventeenth birthday or until the
27 completion of the road test portion of his license examination,
28 whichever period is shorter.

29 (cf: P.L.1983, c.497, s.1)

30 2. This act shall take effect immediately.

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35 Allows holder of special learner's permit to drive after dark.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:
¹ Assembly AJL committee amendments adopted November 23, 1992.

ASSEMBLY, No. 820
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

INTRODUCED FEBRUARY 3, 1992

By Assemblyman ROONEY

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14 person may operate a motor vehicle of the class for which a basic
15 driver's license is required [during the hours between sunrise and
16 sunset] while in the company and under the control of a licensed
17 motor vehicle driver of this State who has had at least three
18 years' experience as a licensed motor vehicle driver. Such
19 special permit shall be valid for 90 days after such person's
20 seventeenth birthday or until the completion of the road test
21 portion of his license examination, whichever period is shorter;
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25 nine months after such person's seventeenth birthday or until the
26 completion of the road test portion of his license examination,
27 whichever period is shorter.

28 (cf: P.L.1983, c.497, s.1)

29 2. This act shall take effect immediately.

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STATEMENT

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34 Although much driving is done after nightfall or in the predawn
35 hours, State law all but insures that certain first-time drivers
36 will be licensed with little or no night-time driving experience.

37 P.L.1977, c.25 (C.39:3-13.2a) allows the holder of a special
38 learner's permit, who has completed a driving course, to continue
39 to operate a motor vehicle in preparation for his license
40 examination. However, the permit holder may drive only during
41 the hours between sunrise and sunset and while accompanied by
42 an experienced driver. This bill removes the restriction on 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.

1 hours during which a permit holder may drive. It is intended to
2 provide a more realistic learning experience for beginning drivers
3 by allowing them to practice driving after dark.

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8 _____
Allows holder of special learner's permit to drive after dark.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 820

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1992

The Assembly Judiciary, Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 820.

P.L.1977, c.25 (C.39:3-13.2a) allows the holder of a special learner's permit, who has completed a driving course, to continue to operate a motor vehicle in preparation for his license examination. Under current law, the permit holder may drive only during the hours between sunrise and sunset and while accompanied by an experienced driver with at least three years experience. This bill in its original form removed the restriction on the hours during which a special permit holder may drive by deleting the phrase "during the hours between sunrise and sunset". The bill was intended to provide a more realistic learning experience for beginning drivers by allowing them to practice driving after dark. The committee amendments provide that the driver with the special learner's permit may drive while accompanied except during the hours after midnight until 5:00 a.m. The committee felt that this restriction allows student drivers to practice their night driving skills at reasonable times on the roads.

This bill was pre-filed for introduction in the 1992 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 820

STATE OF NEW JERSEY

DATED: MARCH 11, 1993

The Senate Law and Public Safety Committee favorably reports Assembly Bill No. 820 [1R].

Current law (P.L.1977, c.25; C.39:3-13.2a) allows the holder of a special learner's permit who has completed a driving course to continue to operate a motor vehicle in preparation for his license examination. However, the statute provides that the permit holder may drive only during the hours between sunrise and sunset and while accompanied by an experienced driver with at least three years experience.

Under the provisions of this bill, the driver with the special learner's permit may drive while accompanied, except during the hours between midnight and 5 a.m.

It is the committee's understanding that the bill is intended to provide a more realistic learning experience for beginning drivers by allowing them to practice their night driving skills at reasonable times on the roads.