

39:3-10c + 39:3-10d

LEGISLATIVE HISTORY CHECKLIST

HJSA 39:3-10c and 39:3-10d (Vision Reexamination.)

LAWS OF 1977 CHAPTER 28

Bill No. S1422 (Part of MV Package)

Sponsor(s) Maressa and Vreeland

Date Introduced April 26, 1976

Committee: Assembly Transportation and Communications

Senate Law, Public Safety and Defense

Amended during passage Yes ~~xxx~~ Amendments during passage denoted by asterisk

Date of Passage: Assembly December 6, 1976

Senate June 3, 1976

Date of approval February 24, 1977

Following statements are attached if available:

Sponsor statement	Yes	xxx
Committee Statement:	Assembly	Yes xxx
	Senate	Yes xxx
Fiscal Note	xxx	No
Veto Message	xxx	No
Message on signing	Yes	xxx

Following were printed:

Reports	Yes	xxx
Hearings	xxx	No

Report Mentioned in Sponsor's Statement:

974.90 N.J. Motor Vehicle Study Commission.

A939 Report. 1975

1975 "Periodic Re-examination" p.93-100

See Also:

974.90 N.J. Division of Motor Vehicle

A939 Background information on

1977d the implementation of Motor Vehicle Study

Commission Laws to go into effect. Sept. 1, 1977.

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[OFFICIAL COPY REPRINT]
SENATE, No. 1422

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1976

By Senators MARESSA and VREELAND

Referred to Committee on Law, Public Safety and Defense

AN ACT providing for the periodic reexamination of licensed drivers of motor vehicles and supplementing chapter 3 of Title 39 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The division shall require every licensed driver to take and
2 successfully pass an examination of his vision ***[and knowledge of**
3 **proper driving practices and current traffic regulations]*** at least
4 once every 10 years as a condition for the renewal of his driver's
5 license and of any endorsement thereon.

6 The vision ***[portion of the]*** examination may be certified by the
7 division or by any licensed optometrist or ophthalmologist. If the
8 examination shows a need for corrective eyeglasses or any other
9 corrective action, the renewal of the applicant's license shall be
10 conditioned upon his compliance with such need. The division may
11 require a road test of any applicant to determine the adequacy of,
12 or the applicant's adaptation to the required corrective action.

13 ***[The knowledge portion of the examination shall be an open-**
14 **book home study test printed in the English language. Along with**
15 **the driver's license renewal application, the division shall mail to**
16 **each applicant required to be reexamined pursuant to this section,**
17 **a copy of the home study test, a booklet or other writing contain-**
18 **ing all information necessary to provide the answer to each ques-**
19 **tion appearing in the test, and a notice advising the applicant that**
20 **if he has difficulty with the English language, he may take the test**
21 **at any one of the division's driver qualification centers in one of**
22 **the other languages in which examinations are presently conducted**
23 **by the division.]***

1 2. To implement the reexamination program provided for by
2 this act and to establish it on a current basis, the division shall

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

3 reexamine approximately 10% of all of the State's licensed drivers
4 in each year during the first 10 years following the date this act
5 becomes operative. Once reexamined during said 10-year period,
6 no licensed driver shall be again reexamined pursuant to the pro-
7 visions of this act sooner than 10 years thereafter.

1 3. This act shall take effect immediately but shall remain in-
2 operative for 180 days and until the first day of the month next
3 occurring thereafter.

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4 in each year during the first 10 years following the date this act
5 becomes operative. Once reexamined during said 10-year period,
6 no licensed driver shall be again reexamined pursuant to the pro-
7 visions of this act sooner than 10 years thereafter.

1 3. This act shall take effect immediately but shall remain in-
2 operative for 180 days and until the first day of the month next
3 occurring thereafter.

STATEMENT

This bill requires the reexamination of licensed motor vehicle drivers every 10 years in accordance with the recommendation of the Motor Vehicle Study Commission appearing on pages 97 and 98 of its September, 1975 Report.

REFERENCE USE ONLY

ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1422

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1976

This bill would require vision examinations of licensed motor vehicle drivers every 10 years. The Federal guidelines recommend that such examinations be required every 4 years.

The vision requirement retained in the bill is based on a recommendation of the Motor Vehicle Study Commission in its Report of September, 1975.

REFERENCE USE ONLY

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 1422

STATE OF NEW JERSEY

DATED: MAY 24, 1976

This bill would require vision examinations of licensed motor vehicle drivers every 10 years. The bill as originally written would have also required a knowledge test every 10 years but the committee amended the bill to eliminate this provision.

The vision requirement retained in the bill as amended is based on a recommendation of the Motor Vehicle Study Commission in its *Report* of September, 1975.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FEBRUARY 24, 1977

FOR FURTHER INFORMATION

ED RAMSEY

A series of bills which will have a major impact on the State's more than 4.5 million motorists was signed into law today by Governor Brendan Byrne.

The new laws revise the Driver Manual, require licensed drivers to take eye tests every ten years, allow for the erasing of points for violation-free driving and establish a single standard for the drinking and driving offense.

"These laws will update the State's motor vehicle regulations and will provide a basis for improving safety on our highways," said Byrne.

The bills were based on recommendations made to the Governor and Legislature by the Motor Vehicle Study Commission headed by Barry H. Evenchick, a Newark lawyer. The seventeen member commission held numerous working sessions and three public hearings before issuing a report in September, 1975 with recommendations designed to deal with the problems of highway safety and improved effectiveness of the Division of Motor Vehicles.

The bills, (S-1416, S-1417, S-1419, S-1420, S-1422, S-1423), all sponsored by Senator Joseph A. Maressa, D-Camden, provide that:

- All driver license applicants with no prior driving experience will, after successfully completing the written and road test, be issued a probationary license for the first two years. The license document will look the same as all other New Jersey licenses, but during the two year probationary period the new driver's accident and violation records will be carefully

monitored and remedial action, when indicated, will be instituted before illegal or dangerous driving habits become ingrained. The age for a driving permit will be lowered to 16 for use in driver education courses. At age 16 1/2, the new driver may use the permit for practice driving between sunrise and sunset when accompanied by a licensed driver with at least three years experience. At age 17, a permit holder may drive anytime when accompanied by a licensed driver. A permit holder may take the test for the initial probationary license at age 17.

- A new Driver Manual will be issued which will have, as its primary objectives, information designed to raise the level of safe driving knowledge among license applicants. The new manual will be improved as to "readability," and will be a summary of the New Jersey Motor Vehicle Laws as well as a practical guide for safe and efficient driving practices.

- Drivers will be required to submit to a vision test every ten years to see if corrective glasses are needed or currently used eyeglasses are adequate. A medical/vision advisory panel will devise better licensing standards in this area and assist the Division in adjudicating cases concerning drivers who suffer from identified medical or vision problems. The panel will consist of medical doctors and licensing officials who will review existing policies and procedures and make recommendations for changes or improvements, if indicated. In addition to those with vision problems, the State maintains certain standards for handicapped persons and for those with a history of serious medical problems.

- A single standard for the drinking and driving offense will be established which lowers the level of blood alcohol at which a person is presumed to be under the influence. The present level of .15% will be tightened to .10%. Under the revised law, the term "impaired" will not be used. Individuals found to have less than .05% blood alcohol content (BAC) will be presumed to be sober for driving purposes. At BAC levels of .05% up to but not including .10%, no presumptions will be raised that the driver is or is not under the influence, but other evidence going to that question will be admissible.

Licenses will not be restored until the convicted driver completes mandated education and rehabilitation. Persons not judged to be problem drinkers must participate in informational courses in a school operated under the auspices of DMV which emphasizes responsible driving techniques and attitudes. Those who are found to be problem drinkers will be required to seek help from organizations such as Alcoholics Anonymous or register as an outpatient in an alcohol rehabilitation program run by a hospital or clinic.

A "grandfather clause" in the legislation provides that drivers currently suspended under the old drunken driving law will be eligible to apply for license restoration upon satisfactory completion of the education or rehabilitation program, after completion of at least six months suspension.

The new statute calls for a license suspension of not less than 60 days and not more than 180 days for the first offense, with a fine of not less than \$200 nor more than \$400.

A subsequent conviction would result in a license suspension of not less than one year nor more than three years and a fine of not less than \$500 nor more than \$1000.

A third conviction within ten years will require a five year suspension and a fine of \$1000.

Jail terms on the first conviction could be up to 30 days and up to 90 days on a subsequent conviction. For a third offense, the term of imprisonment will be not less than 30 days nor more than 180 days.

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Refusal to take a breath test after arrest for suspected drunken driving will result in a 90 day license suspension if no prior conviction exists and a one year suspension if there has been a prior conviction within 15 years.

- The accumulation of 12 points in moving violations will continue to constitute cause for license suspension. However, the Motor Vehicles Director or a hearing officer designated by him may permit the driver to participate in a Driver Improvement Program operated by the Division. Successful completion of driver improvement school will give the driver a reduction in points.

When a driver accumulates between six and eleven points, the Division will send an official notice warning the driver that subsequent violations may result in the loss of driving privileges.

- Under the new moving violation law, DMV will adjust all points accumulated over the past three years to a new, reduced point system. Motorists will receive a one-time 6 point reduction if no points were assessed over the last year.. Drivers not eligible for the first time 6 point reduction can earn a 3 point reduction for each additional year without conviction for a moving violation. Everyone will get a 3 point reduction for each additional year of conviction-free driving; however, no point totals will be reduced below zero. This is to encourage improved violation-free driving by all motorists.

Motor Vehicles Director John A. Waddington said that the new laws will be implemented as quickly as possible.