

 **New Jersey  
Motor Vehicle Commission**

P.O. Box 160  
Trenton, New Jersey 08646-0160

STATE OF NEW JERSEY

Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

Raymond P. Martinez  
Chairman and Chief Administrator



June 13, 2017

Honorable Chris Christie  
Governor, State of New Jersey  
State House  
125 West State Street  
Post Office Box 001  
Trenton, NJ 08625-0001

Dear Governor Christie:

In accordance with Section 17 of The Motor Vehicle Security and Customer Service Act of 2003, constituting Chapter 13 of the laws of 2003 of the State of New Jersey, as amended pursuant to P. L. 2007, Chapter 335 and pursuant to P. L. 2009, Chapter 298, I herein transmit the minutes of actions taken at the open session of the Regular Meeting of the New Jersey Motor Vehicle Commission Board at Floor 8E, Motor Vehicle Commission Headquarters, Tuesday, June 13, 2017.

Thank you.

Sincerely,

  
John G. Donnelly  
Board Secretary

Enclosure

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Dear Governor Christie:

In accordance with Section 17 of The Motor Vehicle Security and Customer Service Act of 2003, constituting Chapter 13 of the laws of 2003 of the State of New Jersey, as amended pursuant to P. L. 2007, Chapter 335 and pursuant to P. L. 2009, Chapter 298, I herein transmit the minutes of actions taken at the open session of the Regular Meeting of the New Jersey Motor Vehicle Commission Board at Floor 8E, Motor Vehicle Commission Headquarters, Tuesday, June 13, 2017.

Thank you.

Sincerely,



John G. Donnelly  
Board Secretary



Enclosure

## NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Tuesday, June 13, 2017.

**Present:**

Stephen S. Scaturro, Vice-Chairman

Scott Kisch, Public Board Member (by speakerphone)

John Case, Transportation Commissioner Designee (by speakerphone)

James Fruscione, State Treasurer Designee (by speakerphone)

Gary Poedubicky, Attorney General Designee

Chairman Martinez, and Board Members Asante and Orcutt, had previously advised that they would be unavailable to participate in today's meeting.

Governor's Authorities Unit Assistant Counsel Labinot Berljolli participated by speakerphone, and Deputy Attorney General Jennifer Jaremback was present.

Vice-Chairman Scaturro convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act.

**Agenda Approval.** Board Member Kisch moved to accept the proposed agenda, Director Poedubicky seconded the motion and it was unanimously adopted.

The following Agenda Items were presented for approval:

**Minutes: April 13, 2017.** This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the minutes of each MVC Board meeting, by approving the Minutes of the MVC Regular Board Meeting of April 13, 2017.

Board Member Kisch moved the resolution, Director Fruscione seconded it and it was unanimously adopted.

**1706-01: Licensing Service and Scanning Regulation.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of the Licensing Service and Document Scanning regulation. Richard DeMonaco of the MVC Office of Regulatory and Legislative Affairs presented the Final Adoption.

Vice-Chairman Scaturro moved the resolution, Director Poedubicky seconded it and it was adopted.

**1706-02: Licensing Service and No-Fee Regulation.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Proposed Amendment of the Licensing Service Regulation as to no-fee Non-Driver Identification Cards. JoAnne Sutkin of the MVC Office of Regulatory and Legislative Affairs presented the Proposed Amendment.

Director Poedubicky moved the resolution, Vice-Chairman Scaturro seconded it and it was unanimously adopted.

**1706-03: Enforcement Service and Licensing Service Regulations.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Proposed Amendment of the Enforcement Service and Licensing Service regulations as to Autocycles. Richard DeMonaco of the MVC Office of Regulatory and Legislative Affairs presented the Proposed Amendments.

Director Fruscione moved the resolution, Chief of Staff Case seconded it and it was unanimously adopted.

**1706-04: Enforcement Service and Amber Lights Regulation.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Proposed Amendment of the Enforcement Service Regulation as to Amber Lights. JoAnne Sutkin of the MVC Office of Regulatory and Legislative Affairs presented the Proposed Amendment.

Chief of Staff Case moved the resolution, Board Member Kisch seconded it and it was unanimously adopted.

**1706-05: Licensing Service and Farm Vehicles Regulation.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Proposed Amendment of the Licensing Service Regulation as to Farm Vehicles. Rebecca Donington of the MVC Office of Regulatory and Legislative Affairs presented the Proposed Amendment.

Director Fruscione moved the resolution, Board Member Kisch seconded it and it was unanimously adopted.

**Legislative Report.** A briefing was provided by Legislative Liaison Laura Hahn, including:

**Bills Signed into Law**

**A-2087** (Mukherji D-33; Schaer D36; Downey D11; Quijano D20; Greenstein D14; Turner D15) Grants drivers additional time to resolve parking violations prior to license or registration suspension. *Signed on 5/11/17 by the Governor as P.L.2017, c.75.*

**S-3015** (Rice D28; Ruiz D29; Sumter D35; Oliver D34; Schaer D36; Pintor Marin D29) Requires study of program allowing community service in lieu of paying motor vehicle surcharges. *Signed on 5/1/17 by the Governor as P.L.2017, c.60.*

**S-2564/A-4115** (Weinberg D37; Bucco R25; Johnson D37; Vainieri Huttle D37; Bucco R25; Quijano D20; Holley D20; Mukherji D33) Provides that driver's license and identification cards expire every four years on licensee or cardholder's birthday. *Signed on 6/9/17 by the Governor as P.L.2017, c.91.*

**Bills on the Governor's Desk**

**A-374** (Auth R39; Prieto D32; Schepisi R39; Jimenez D32; Mukherji D33; Sacco D32; Cruz-Perez D5) No duplicate license or ID card fees for changing organ donor status.

**Recent Action on Bills of Note**

**A-2729/S-1750** (Bucco R25; DeAngelo D14; Space R24; Mosquera D4; Wisniewski D19; DeCroce, B. R26; Mukherji D33; Madden D4; Cruz-Perez D5) Establishes special motorcycle license plates for veterans.

**A-3798/S-211** (Singleton D7; Wimberly; Chiaravalloti D31; Mukherji D33; Auth R39) Authorizes use of school bus monitoring systems.

**A-3829** (Houghtaling D11; Downey D11; Andrzejczak D1; DeAngelo D14; Mukherji D33) Permits issuance of motorcycle endorsement to certain out-of-State military personnel.

**A-4185/S-2979** (Mukherji D33; Bucco R25; Giblin D34; Doherty R23; Scutari D22) Concerns certain business requirements for motor vehicle dealers.

**S-2335** (Cruz-Perez D5) Establishes certain additional examination and special learner's permit requirements.

**S-2415** (Rice D28) Establishes For-Hire Vehicle License Plate Task Force; requires issuance of uniquely colored license plate for certain for-hire vehicles and registration of certain for-hire vehicles.

**S-2501** (Van Drew D1; Singer R30) Requires MVC to educate and test drivers on responsibilities during police stop.

**S-2854/A-4401** (Beach D6; Madden D4; Greenwald D6; Land D1; Andrzejczak D1)  
Authorizes certain benefits for certain family members of military personnel who died while on active duty. The committee amendments change the effective date of the bill, having the bill take effect on the first day of the sixth month following the date of enactment instead of immediately.

**S-2894/A-4165** (Gill D34; Chaparro D33; Mukherji D33; Chiaravalloti D31) Requires driver education course, certain new driver brochures, and driver's license written exam to include cyclist and pedestrian safety information.

Vice-Chairman Scaturro thanked Laura for the presentation.

**Public Comments:**

No members of the public sought to make a public comment.

Vice-Chairman Scaturro thanked everyone for their participation today.

**Adjournment:**

Since there were no further comments or business, a motion to adjourn was made by Chief of Staff Case and seconded by Board Member Kisch and unanimously adopted at 3:05 p.m.

**NEW JERSEY MOTOR VEHICLE COMMISSION  
REGULAR MEETING OF THE BOARD MEMBERS**

**Commission Headquarters, 8<sup>th</sup> Floor East Wing**

**225 East State Street, Trenton, New Jersey**

**2:00 p.m., Tuesday, June 13, 2017**

**FINAL AGENDA**

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**Approval: Minutes of April 13, 2017**

**BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, provides at section 17 that the actions taken at MVC Board meetings do not become effective until approved by the Governor. Thereafter, the Minutes are presented to the Board Members for approval consistent with the MVC Board Bylaws.

**PURPOSE**

The Act at section 17 states that "A true copy of the minutes of every meeting of the Board shall be delivered by and under the certification of the Secretary of the Board, without delay, to the Governor. No action taken at the meeting shall have force or effect until ten days, Saturday, Sundays, and public holidays excepted, after the minutes are delivered, unless during the ten day period the Governor approves the Minutes, in which case the action shall become effective upon approval. If, in that ten day period, the Governor returns copies of the minutes with a veto of any action taken by the Board or any Member, the action shall be null and void and of no effect."

The April 13, 2017 Minutes were delivered on April 13, 2017 to the Governor, and became effective upon expiration of the ten day period on April 28, 2017.

**ACTION**

Approval of this item by the Board Members indicates acceptance of the April 13, 2017 Minutes.

**FISCAL IMPACTS**

None.

**RESOLUTION**

**WHEREAS**, consistent with the Bylaws the Minutes of actions taken at meetings of the New Jersey Motor Vehicle Commission Board are to be approved by the Board Members; and

**WHEREAS**, pursuant to section 17 of The Motor Vehicle Security and Customer Service Act , P.L. 2003, c.13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, a true copy of the Minutes of the actions taken at the New Jersey Motor Vehicle Commission Board meeting of April 13, 2017 were delivered without delay to the Governor on April 13, 2017; and

**WHEREAS**, those Minutes do not become effective until expiration of the ten day review period or otherwise approved by the Governor; and

**WHEREAS**, Minutes of the April 13, 2017 Board Meeting are effective as of April 28, 2017; and

**NOW, THEREFORE, BE IT RESOLVED** that the Minutes of actions taken at the April 13, 2017 New Jersey Motor Vehicle Commission Board meeting are hereby approved.

## NEW JERSEY MOTOR VEHICLE COMMISSION

Minutes by Board Secretary John G. Donnelly of actions taken at the Open Session of the Regular Meeting of the New Jersey Motor Vehicle Commission (MVC) Board held at Floor 8E, Motor Vehicle Commission Headquarters, 225 East State Street, Trenton, New Jersey on Thursday, April 13, 2017.

### **Present:**

Raymond P. Martinez, Chairman  
Stephen S. Scaturro, Vice-Chairman  
Laurette Asante, Public Board Member (by speakerphone)  
Scott Kisch, Public Board Member (by speakerphone)  
Walter Orcutt, Public Board Member (by speakerphone)  
John Case, Transportation Commissioner Designee (by speakerphone)  
James Fruscione, State Treasurer Designee (by speakerphone)  
Gary Poedubicky, Attorney General Designee

Governor's Authorities Unit Assistant Counsel Labinot Berlajolli and Deputy Attorney General Jennifer Jaremback participated.

Chairman Martinez convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act, and led the Pledge of Allegiance.

**Agenda Approval.** Board Member Kisch moved to accept the proposed agenda, Director Fruscione seconded the motion and it was unanimously adopted.

**Chairman's Report.** Chairman Martinez began by welcoming everyone to the summer season, and updated all attendees on these actions since the February 16 Board Meeting:

### **Organ Donation**

April is designated National Donate Life Month. I am thrilled to once again be able to say that the MVC is still the largest source of donor registrations in the state, and that motor vehicle agencies nationwide are responsible for 97% of all donor registrations. In order to raise awareness of the importance of organ donation, I am conducting a number of agency visits to thank our employees for their efforts to register new donors, and later this month I will be visiting the Liberty Science Center's "Live from Surgery" exhibit that features a twice-monthly live stream of a kidney or heart transplant operation. We are proud of the steps we have taken to make it easier for our customers to register as donors. Last year, customer-facing keypads were installed in all MVC agencies that allow customers to personally indicate and confirm their desire to register as a donor. This helps to ensure that the customer's wishes are accurately and efficiently recorded, and eliminates the need for an MVC employee to manually input this information. Additionally, registering as an organ donor is one of the more than 20 transactions that can be completed online at [www.njmvc.gov](http://www.njmvc.gov). Finally, customers can always request a paper registration form by calling our customer service hotline.

**Distracted Driving Awareness Month**

On April 6, Deputy Chief Administrator Ashmore and I had the opportunity to join the Attorney General for a press conference to highlight the national, "U Drive, U Text, U Pay" initiative to crack down on distracted driving. This enforcement campaign combines anti-texting law enforcement with advertising and media outreach to let people know about the consequences of distracted driving. This is an ideal complement to our JustDrive.com campaign, which has helped us reach hundreds of thousands of residents through social media, physical advertisements, school visits and partnerships with professional sports teams such as the New York Giants, Jets, Yankees and Mets. I am confident that our efforts will help to make New Jersey's roads safer.

**Rebeka Vereá Foundation**

While we're on the topic of JustDrive, I would like to take a few moments to talk to you about a few special guests we have with us this afternoon. In 2005, Lourdes and Jorge Vereá's daughter Rebeka was killed in a tragic car crash involving high speed and reckless driving on the night of her high school graduation. In the aftermath of that fateful night, they created the Rebeka Vereá Foundation to raise awareness to youths about the dangers of aggressive and distracted driving. The Foundation raises funds for local high schools' "Project Graduation" activities, which aim to provide teens with a fun and safe way to celebrate on graduation night. In addition, thousands of students and educators have taken part in their educational symposiums that focus on driver safety and injury prevention. I commend the Vereás and their supporters for coming together for the sake of ending the tragic loss of life due to reckless behavior behind the wheel. The Rebeka Vereá Foundation is an ideal complement to our JustDrive campaign, and we have been working with them since 2015. I am looking forward to speaking at their educational symposium in Cliffside Park later this month. In recognition of our special partnership, and their continued dedication to such an important cause, I will be making a special presentation to Dr. and Mrs. Vereá's later on in this meeting.

After the Chairman's Report, the following Agenda Items were presented for approval:

**1704-01: Award to Dr. and Mrs. Vereá and the Rebeka Vereá Foundation.** This action is to meet the statutory requirement of The Motor Vehicle Security and Customer Service Act ("Act"), P.L. 2003, c. 13, as the enabling statute that created MVC, and as amended by P.L. 2007, c. 335 and by P. L. 2009, c.298, at Section 2 that MVC inform our customers of the work of MVC, which includes distinguished and invaluable service provided by New Jersey's citizens. The Board approved a resolution to recognize and thank the Rebeka Vereá Foundation and Dr. and Mrs. Vereá for their effort to raise awareness and educate teenagers regarding the dangers of driving recklessly.

Director Poedubický moved the resolution with thanks to the Vereás, Vice-Chairman Stephen S. Scaturro seconded it and it was unanimously adopted.

The Chairman and Dr. and Mrs. Vereá were photographed with the framed Board Resolution and with a "Traffic Safety Partner" plaque, as the Chairman acknowledged their daily efforts that keep us safe.

**1704-02: Motor Vehicle Dealers Regulation.** This action is to meet the statutory provision of the Motor Vehicle Security and Customer Service Act to promulgate regulations for the proper functioning of the Commission, including this Final Adoption of amendments to the Motor Vehicle Dealers regulation. Richard DelMonaco of the Office of Regulatory and Legislative Affairs, presented the regulation.

Chief of Staff Case moved the resolution, Board Member Orcutt seconded it and it was unanimously adopted.

**Minutes: February 16, 2017.** This item is to fulfill the requirements of The Motor Vehicle Security and Customer Service Act and of the Bylaws to approve the minutes of each MVC Board meeting, by approving the Minutes of the MVC Annual Reorganization Meeting of February 16, 2017.

Board Member Asante moved the resolution, Director Poedubicky seconded it and it was unanimously adopted.

**Legislative Report.** A briefing was provided by Legislative Liaison Laura Hahn, including:

**Bills on the Governor's Desk**

**S-2792/A-2087** (Green D14; Turner D15) to grant drivers additional time to resolve parking violations prior to license or registration suspension. Under current law, the Motor Vehicle Commission may suspend a person's driver's license or registration upon being notified by a municipal court that a person has failed to pay outstanding parking fines or penalties or respond to the court's failure to appear notice. This bill requires the commission to delay the effective date of a suspension until 30 days after the date on which the commission mailed a suspension notice to the person. On 02/06/17, the bill was reported out of committee with committee substitute, 2nd reading in Senate; on 03/13/17, A-2087 was substituted by S-2792, Passed in Senate 37-0 and sent to the Governor.

**S-3015/A-4623** (Rice D28; Ruiz D29; Sumter D35; Oliver D34; Schaer D36; Pintor Marin D29) to study allowing community service in lieu of paying motor vehicle surcharges. The bill requires a 6-month study to determine the administrative efficiency of a program that allows persons to perform community service in lieu of paying motor vehicle surcharges when the person is: (1) Unemployed; (2) Unable to pay certain motor vehicle surcharges; and (3) Enrolled in a job training or education program, including applying for a commercial driver license or endorsement. The study also is to determine the impact of the program on surcharge revenue and the State's bond and budgetary obligations. On 02/15/17, the bill was received in Assembly without committee reference, 2nd reading in Assembly; on 03/16/17, S-3015 was substituted for A-4623, Passed in Assembly 66-4-4 and sent to the Governor.

**Recent Action on Bills of Note**

A-219 (DeAngelo D14; Danielsen D17) to authorize a special Combat Action Badge license plate program. An application to obtain Combat Action Badge license plates is to include satisfactory proof that the applicant received the Combat Action Badge. The Chief Administrator of the New Jersey Motor Vehicle Commission is required to annually certify the average cost of producing, issuing, and publicizing the availability of the specialty license plates. If the average cost per plate exceeds \$50, the chief administrator may discontinue the Combat Action Badge license plate program. The bill also requires that the Adjutant General of the department appoint a liaison to represent the department in all communications with the commission regarding the Combat Action Badge license plates. On 03/06/17, it was reported out of committee, referred to Assembly Appropriations Committee.

A-1918 (Wisniewski D19; Webber R26; Rumana R40; DeCroce R26) concerns temporary registration certificates for automobiles. This bill increases the number of days for which a temporary registration certificate issued to an out-of-State purchaser of an automobile is valid from 20 days to 30 days if the vehicle is to be principally garaged, registered, and titled in another state, a federal district, or another county. Under current law, a temporary registration certificate issued to a New Jersey resident is valid for a period of 30 days. The bill also allows a nonresident purchaser of an automobile to receive a second temporary registration for an additional period of 30 days if the permanent registration is delayed by reason of a lost title certificate or failure of a lien holder to turn over a certificate of title. Purchasers who reside in New Jersey may be issued a 30-day second temporary registration under current law. The bill also provides that a temporary registration certificate is not to be issued for a vehicle sold to a nonresident unless the licensed dealer has confirmed that the vehicle is insured pursuant to State law or to the laws of the state in which the vehicle is to be titled and registered. On 03/06/17, it was reported out of committee with committee amendments, 2nd reading in Assembly.

A-3911 (Wisniewski D19; Vainieri Huttie D37; Mukherji D33) provides that motor vehicle registration expires on registrant's numerical calendar day of birth. Under current law, a person's motor vehicle registration expires on the last day of the 12th month after the registration was issued. This bill provides that the motor vehicle registration expires on the registrant's numerical calendar day of birth in the 12th month after the registration was issued. If the numerical calendar day of the registrant's birth does not correspond to a numerical calendar day in the 12th month or if the vehicle is a leased motor vehicle, the registration is to expire on the last day of the 12th month after the registration was issued. On 03/16/17, it Passed in Assembly 68-6-0.

A-4185 (Mukherji D33; Bucco R25; Giblin D34) concerns certain business requirements for motor vehicle dealers. This bill amends R.S.39:10-19 to clarify the requirements for an established place of business of a licensed used motor vehicle dealer and allows a licensed dealer of new and used motor vehicles or a licensed dealer of used motor vehicles (dealer) to temporarily remove from the dealer's premises the forms, papers, and records required by the New Jersey Motor Vehicle Commission (MVC), if the documents were removed for a business purpose, including but not limited to, acquiring a motor

vehicle, certificate of origin, certificate of ownership, or title papers by the dealer. The bill also provides that in the event of an unannounced audit, inspection or investigation by MVC of the premises of the dealer which results in the finding of a record-keeping violation, the Chief Administrator of the MVC (chief administrator) or the chief administrator's agent must permit the dealer three business days, from the time the notice of the violation is received, to provide proof that the dealer was in compliance with the law at the time of the unannounced audit, inspection or investigation. The dealer will not be subject to the imposition of a fine, suspension of license, or revocation of license if the proof provided by the dealer is determined to be sufficient by the chief administrator or the chief administrator's agent. On 03/23/17, it Passed in Assembly 71-0-2.

A-4219 (O'Scanlon R13; Benson D14; Zwicker D16) allows minors 14 years of age or older to authorize organ donation; requires MVC to provide organ donation registration to certain minors. An anatomical gift made by a minor would remain valid when the minor reaches 18 years of age. Current law requires the New Jersey Motor Vehicle Commission (MVC) to provide every adult applicant of a new or renewal driver's license or non-driver photo identification card the opportunity to designate that the person will donate all or any organs or tissues for the purposes of transplantation or therapy. In order to extend the ability to designate organ donor status to younger state residents, this bill requires the MVC to also provide the opportunity to donate to: (1) the holder of an examination permit or a motorcycle-only examination permit, who may be as young as 17 years old; (2) the holder of a special learner's permit, who may be as young as 16 years old; (3) the holder of a moped license, who may be as young as 15 years old; and (4) all holders of non-driver photo identification cards, who may be as young as 14 years old. On 03/23/17, it Passed in Assembly 74-0-0.

A-4504 (Lampitt D6; Barclay D5; Jones D5; Mukherji D33) clarifies that owners of self-driving motor vehicles must comply with existing insurance requirements. Current law provides, with certain limited exceptions, that every owner or registered owner of a motor vehicle registered or principally garaged in this State shall maintain motor vehicle liability insurance coverage. This bill clarifies that this mandate includes self-driving motor vehicles that are capable of operating without active control or monitoring by a human operator. On 02/27/17, it was reported out of committee, 2nd reading in Assembly.

A-4573 (Coughlin D19; Wisniewski D19; Pinkin D18) requires motor vehicle manufacturers doing business in New Jersey to establish motor vehicle emergency contact registry. This bill requires motor vehicle manufacturers that are engaged in the business of distributing vehicles in this State, in conjunction with law enforcement agencies and the National Law Enforcement Telecommunications System, to establish the "National Motor Vehicle Emergency Contact Registry" (NMVECR). The registry is to be capable of storing emergency contact information to be accessible by law enforcement officers. Under the bill, every new motor vehicle dealer and leasing dealer is required to allow a purchaser or lessee of a new motor vehicle to voluntarily register at the point of sale an emergency contact to be stored in the NMVECR. The information is to be available for the exclusive use of law enforcement and is not to be considered a public record. On 03/06/17, it was reported out of committee with committee amendments, 2nd reading in Assembly; on 03/16/17, it Passed in Assembly 62-1-11.

S-1750 (Madden D4; Cruz-Perez D5) establishes special motorcycle license plates for veterans. Under the bill, the license plates authorized are to bear a design approved by the chief administrator identifying the registrant as a U.S. military veteran. The application fee for these plates is \$15, in addition to the normal registration fee. The bill permits the surviving spouse of a deceased veteran to retain the plates. On 03/13/17, it Passed in Senate 37-0; on 03/16/17, it was received in Assembly and referred to Assembly Transportation and Independent Authorities Committee.

S-2493 (Scutari D22) requires certain seller of used motor vehicles to notify MVC of sale; limits liability of certain sellers after sale of used motor vehicle. This bill requires the seller of a motor vehicle to notify the Motor Vehicle Commission (MVC) of the sale and limits the liability of the seller after the vehicle is sold. Specifically, under the provisions of this bill, when a motor vehicle is sold in this State, the seller is required to notify the MVC, within five days of the sale, that the vehicle was sold. The notification is required to include the date of the sale, the name and address of the seller and the purchaser, and a description of the motor vehicle. In addition, the bill provides that a seller who has sold and delivered possession of a motor vehicle to a purchaser would not be subject to criminal or civil liability arising out of the operation or use of the vehicle, including parking offenses, if the seller has complied with the bill's requirements. On 03/13/17, it Passed in Senate 36-0; on 03/16/17, it was received in Assembly and referred to Assembly Transportation and Independent Authorities Committee.

S-2564/A-4115 (Weinberg D37; Bucco R25; Johnson D37; Vainieri Huttler D37; Bucco R25; Quijano D20; Holley D20; Mukherji D33) provides that driver's license and identification cards expire every four years on licensee or cardholder's birthday. This bill provides that a person's driver's license expires four years after issuing the license on the numerical date of the person's birthday. Under current law, a person's driver's license expires on the last day of the 48th month after the license was issued. Under this bill, a person's driver's license would expire during the 48th calendar month after the license was issued and on the numerical calendar day that corresponds to the person's numerical day of birth. If the person's numerical day of birth does not correspond with a numerical calendar day in the 48th month, the license is to expire on the last day of the 48th month. According to the sponsor, the intent of this bill is to reduce the lines and wait time at Motor Vehicle Commission offices by having a person's driver's license expire on the day of his or her birthday, rather than on the last day of the month. On 03/16/17, S-2564 was amended on Assembly floor, 2nd reading in Assembly, Substituted for A-4115, A-4115 passed in Assembly 74-0-0.

S-2874 (Greenstein D14; Cunningham D31) authorizes use of certain electric school buses. This bill authorizes the use of electric school buses, with a maximum width of 102 inches, excluding accessories. Current regulations restrict the width of all school buses to 96 inches, excluding accessories. The increased permissible width set forth in the bill would apply to electric school buses exclusively, and not those powered by conventional fuel or a combination of power sources. On 03/06/17, it was reported out of committee with committee substitute, 2nd reading in Senate.

Chairman Martinez thanked Laura for the presentation.

**Public Comments:**

No members of the public sought to make a public comment.

Chairman Martinez thanked everyone for their participation today.

**Adjournment:**

Since there were no further comments or business, a motion to adjourn was made by Vice-Chairman Scaturro and seconded by Board Member Kisch and unanimously adopted at 2:45 p.m.

**ITEM 1706-01: LICENSING SERVICE AND DOCUMENT SCANNING REGULATION**

**BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC), and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including these proposed amendments of the regulations concerning the licensing service and document scanning.

**PURPOSE**

This is a Final Adoption. The effect of this item is to amend regulations regarding the licensing service and document scanning.

**ACTION**

Approval of this item will authorize the Chairman to file the regulations with the Office of Administrative Law (OAL) as a Final Adoption, in substantially the form as attached in Exhibit A.

**FISCAL IMPACTS**

None, as fees and MVC administrative costs are not changed.

**RESOLUTION**

**WHEREAS**, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including this Final Adoption of the regulations concerning the licensing service and document scanning;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman is authorized to file with the Office of Administrative Law a notice of the Final Adoption of regulations concerning the licensing service and document scanning, in substantially the form as attached in **Exhibit A**.

**MOTOR VEHICLE COMMISSION**

**Licensing Service and Document Scanning**

**Adopted Amendment: N.J.A.C. 13:21-8.2A**

Proposed: February 6, 2017, at 49 N.J.R. 247(a).

Adopted: \_\_\_\_\_, by the Motor Vehicle Commission,  
Raymond P. Martinez, Chairman and Chief Administrator.

Filed:

Authority: N.J.S.A. 39:2A-2j, 39:3-9c, 39:3-10, and 39:3-10f; and 6 CFR 37.

Effective Date:

Expiration Date: December 4, 2020.

**Summary of Public Comment and Agency Response:**

**No comments were received.**

**Federal Standards Statement**

The proposed amendments do not cause the rules to, or amend any rule that does, exceed Federal standards or requirements. The proposed amendments meet Federal document retention standards for application, declaration, and source documents. Federal law specifically permits the respective states to utilize Social Security numbers and to retain applications, declarations, and documents required by the Commission's six-point identification system in the administration of driver license or motor vehicle registration laws. See 6 CFR 37.31 and 42 U.S.C. §.405(c)(2)(C)(i). The changes in document acceptance comport with what is permitted and required in 6 CFR 37.11.

**Full text** of the adopted new rules follows (additions to proposal indicated in boldface with asterisks **\*thus\***; deletions from proposal indicated in brackets with asterisks **\*[thus]\***):

**ITEM 1706-02: LICENSING SERVICE – NON-DRIVER ID REGULATION****BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC), and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298; at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including these proposed amendments of the regulations concerning the Licensing Service's non-driver identification cards.

**PURPOSE**

This is a Proposed Amendment. The effect of this item is to amend regulations concerning the Licensing Service's non-driver identification cards.

**ACTION**

Approval of this item will authorize the Chairman to file the regulations with the Office of Administrative Law (OAL) as a Proposed Amendment, in substantially the form as attached in Exhibit A.

MVC Board Chairman and Chief Administrator Raymond P. Martinez has adopted a policy that proposed rules are to be provided by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this version and the official version of the proposal, the official version will govern. All comments must be made consistent with instructions provided with the publishing of this proposal in the New Jersey Register.

**FISCAL IMPACTS**

Based on a non-driver identification card fee of \$24, if 6,950 homeless persons (half of the estimated 13,900 homeless persons in New Jersey) apply, the Commission would lose an estimated \$166,800 in initial application fees, and \$166,800 at each renewal.

**RESOLUTION**

**WHEREAS**, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including these proposed amendments of the regulations concerning the Licensing Service's non-driver identification cards;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman is authorized to file with the Office of Administrative Law a notice of the proposed amendments of regulations concerning the Licensing Service's non-driver identification cards, in substantially the form as attached in **Exhibit A**.

**MOTOR VEHICLE COMMISSION**

**Licensing Service**

**Identification Cards for Nondrivers**

**Proposed Amendments: N.J.A.C. 13:21-16.1, 16.5**

Authorized By:

**Raymond P. Martinez, Chairman and Chief Administrator  
Motor Vehicle Commission**

Authority: N.J.S.A. 39:2-3, 39:2A-28, 39:3-29.9

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-

Submit comments by \_\_\_\_\_ to:

Kate Tasch, APO  
Regulatory and Legislative Affairs  
Motor Vehicle Commission  
225 East State Street  
PO Box 160  
Trenton, NJ 08666-0160  
or via e-mail to [rulecomments@mvc.nj.gov](mailto:rulecomments@mvc.nj.gov)

The agency proposal follows:

### Summary

The public comment period for this notice of proposal will be 60 days, as the proposal is not listed in the agency rulemaking calendar. This notice of proposal is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a) 5.

The Motor Vehicle Commission (the Commission or the MVC) proposes amendments to its rules pertaining to non-driver identification cards, to implement the provisions of P.L. 2016, c. 99, allowing for the chief administrator to waive the fee for non-driver identification cards issued to homeless persons who submit proof of temporary residence to the Commission.

N.J.A.C. 13:21-16.1 is a list of definitions of various words and terms used in N.J.A.C. 13:21-16. The Commission proposes to amend N.J.A.C. 13:21-16.1 to add the term "emergency shelter for the homeless" to the list of definitions. The Commission has adopted the definition of "emergency shelter for the homeless" found at N.J.S.A. 55:13C-2, "Emergency Shelter for the Homeless."

The Commission also proposes to amend the section with the addition of N.J.A.C. 13:21-16.5, which sets forth the procedure a homeless person must follow in order to obtain a no-fee non-driver identification card.

### Social Impact

The Commission anticipates that the proposed amendments will have a positive social impact on the public, as the proposed amendments will provide qualified applicants a waiver of the non-driver identification card fee and thus eliminate a financial obstacle for homeless individuals in New Jersey who wish to receive a non-driver identification card. Easier access to an official government identification card for homeless persons will

enable better access to employment, public assistance, transportation, medical care and housing, as well as numerous other resources, where identification is required.

### **Economic Impact**

The Commission believes the proposed amendments will have a positive economic impact on homeless persons, as obtaining an official government identification card will give homeless persons easier access to financial and social resources.

Overall, the Commission anticipates that the proposed amendments will have a minimal economic impact on the Commission. The Commission anticipates some loss of revenue due to the fee waiver. The fee for a non-driver identification card is \$24. While the Commission cannot predict the number of homeless persons who may apply for the fee waiver, if 6,950 (half of the estimated 13,900 homeless persons in New Jersey) homeless persons apply for the no-fee non-driver identification card, the Commission would lose an estimated \$166,800 in initial application fees, and \$166,800 at each renewal.

### **Federal Standards Statement**

No comparable Federal law or regulation exists; therefore, a Federal standards analysis is not applicable to this rulemaking.

### **Jobs Impact**

The Commission anticipates minimal job growth in relation to the proposed amendments. The proposed amendments set forth a process the Commission will use to waive the fees for homeless persons who apply for a non-driver identification card. Those who obtain a no-fee non-driver identification card, who previously did not have the funds

to obtain the non-driver identification card, will now have a government-issued identification, which may help those persons in pursuing employment.

The Commission does not anticipate job growth within the Commission as a result of the proposed amendments. The same individuals processing and issuing non-driver identification cards to paying customers will be processing and issuing no-fee non-driver identification cards to homeless persons, and it is not anticipated that the Commission will need to hire any additional staff to address any increase in applications.

#### **Agriculture Industry Impact**

The proposed amendments will have no impact on the agriculture industry in New Jersey, as the proposed amendments pertain solely to the issuance of no-fee non-driver identification cards to qualified homeless persons.

#### **Regulatory Flexibility Analysis**

A Regulatory Flexibility Analysis is not required because the proposed amendments do not impose reporting, recordkeeping or other compliance requirements on small businesses. The proposed amendments relate solely to waiving fees for non-driver identification cards issued to homeless persons.

#### **Housing Affordability Impact Analysis**

The proposed amendments will not have any impact on affordable housing in New Jersey, and it is extremely unlikely that the proposed amendments would evoke a change in the average costs associated with housing because the proposed amendments relate solely to waiving fees for non-driver identification cards issued to homeless persons.

### Smart Growth Development Impact Analysis

The proposed amendments will have no impact on smart growth and there is an extreme unlikelihood that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed amendments relate solely to waiving fees for non-driver identification cards issued to homeless persons.

**Full text** of the proposed amendments follows (additions indicated in boldface **thus**); deletions indicated in brackets [thus]):

#### SUBCHAPTER 16. IDENTIFICATION CARDS FOR NON-DRIVERS

##### 13:21-16.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

...

**“Emergency shelter for the homeless” means a building or structure in which a public entity or private, nonprofit organization provides shelter, or food and shelter, to individuals and families having neither a home nor the means to obtain a home or other temporary lodging.**

...

**13:21-16.5 Homeless Person, Fees Waived**

The chief administrator may waive the fees established under N.J.S.A. 39:3-29.7 for a homeless person, as defined by N.J.S.A. 39:3-29.7, who submits proof of temporary residence through a social worker or coordinator of an emergency shelter for the homeless where the homeless person has been temporarily residing. The proof of temporary residence shall be in the form of a letter from a social worker or emergency shelter coordinator, on the social worker's or emergency shelter's official letterhead, signed by an authorized social worker or emergency shelter coordinator, and dated no more than 10 days prior to the homeless person's application to the Commission for a no-fee non-driver identification card. The letter must clearly state that the applicant is "without a domicile and is unable to secure permanent and stable housing," and must include the temporary residence of the applicant.

**ITEM 1706-03: AUTOCYCLES REGULATION****BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC); and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including these proposed amendments of the Enforcement Service and the Licensing Service regulations at N.J.A.C. 13:20-24, 34, 43, 13:21-5, and 8, in order to implement the provisions of P.L.2016, c.35, pertaining to autocycles.

**PURPOSE**

This is a Proposed Amendment. The effect of this item is to amend the Enforcement Service and the Licensing Service regulations pertaining to autocycles.

**ACTION**

Approval of this item will authorize the Chairman to file the regulations with the Office of Administrative Law (OAL) as a Proposed Amendment, in substantially the form as attached in Exhibit A.

MVC Board Chairman and Chief Administrator Raymond P. Martinez has adopted a policy that proposed rules are to be provided by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this version and the official version of the proposal, the official version will govern. All comments must be made consistent with instructions provided with the publishing of this proposal in the New Jersey Register.

**FISCAL IMPACTS**

None, as fees and MVC administrative costs are not changed.

**RESOLUTION**

**WHEREAS**, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including these proposed amendments of the Enforcement Service and the Licensing Service regulations at N.J.A.C. 13:20-24, 34, 43, 13:21-5, and 8, in order to implement the provisions of P.L.2016, c.35, pertaining to autocycles;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman is authorized to file with the Office of Administrative Law a notice of the proposed amendments of the Enforcement Service and the Licensing Service regulations pertaining to autocycles, in substantially the form as attached in Exhibit A.

**TRANSPORTATION**

**MOTOR VEHICLE COMMISSION**

**ENFORCEMENT SERVICE**

**Vehicle Inspection**

**Motorcycles**

**Identifying Marks**

**Enhanced Motor Vehicle Inspection and Maintenance Program**

**LICENSING SERVICE**

**Registrations**

**Driver Licenses**

**Proposed Amendments: N.J.A.C. 13:20-7.2, 24.1, 24.21, 34.2, 43.2; 13:21-5.5, 8.14.**

Authorized by: Raymond P. Martinez, Chairman and Chief Administrator, Motor Vehicle Commission

Authority: N.J.S.A. 39:2A-28, 39:3-10.34

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-\_\_\_\_.

Submit written comments by \_\_\_\_\_, to:

Kate Tasch, Administrative Practice Officer

Regulatory and Legislative Affairs

Motor Vehicle Commission

225 East State Street

PO Box 160

Trenton, NJ 08666-0160

or via e-mail to: [rulecomments@mvc.nj.gov](mailto:rulecomments@mvc.nj.gov)

The agency proposal follows:

### Summary

The public comment period for this notice of proposal will be 60 days, as the notice of proposal is not listed in the agency rulemaking calendar. This notice of proposal is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

The Motor Vehicle Commission (Commission) proposes to amend certain provisions of N.J.A.C. 13:20-24, 34, 43, 13:21-5, and 8, in order to implement the provisions of P.L.2016, c.35, pertaining to autocycles, and pursuant to N.J.S.A. 39:3-10.34(f).

N.J.A.C. 13:20-7.2, Inspection of motor vehicles requirements for motor vehicles, is proposed for amendment to add autocycles to the list of vehicles exempt from inspection requirements.

N.J.A.C. 13:20-24.1, Motorcycles, is proposed for amendment to clarify the regulations on safety standards for goggles, face shields, and helmets as they pertain to autocycles. N.J.A.C. 13:20-24.21 is proposed for amendment to clarify the issuance and placement of license plates for autocycles.

N.J.A.C. 13:20-34.2, Registration numbers reserved, and N.J.A.C. 13:20-34.3, Registration numbers excluded, are proposed for amendment to provide for the reservation of specific alphanumeric sequences for license plates issued to autocycles.

N.J.A.C. 13:20-43.2, Enhanced Motor Vehicle Inspection and Maintenance Program / Inspection requirements for motor vehicles, is proposed for amendment to add autocycles to the list of vehicles exempt from enhanced inspection requirements.

N.J.A.C. 13:21-5.5, Registrations / Motorcycle registration fee, is proposed for amendment to include autocycles in the category of motorcycles for registration purposes.

N.J.A.C. 13:21-8.14, Driver Licenses / Vehicle used for road test, is proposed for amendment to indicate that autocycles are not approved vehicles for road tests.

### **Social Impact**

The proposed amendments will have a positive social impact on members of the public who own and/or operate autocycles. The proposed amendments implement recent statutory changes regarding the registration and operation of autocycles, including safety requirements. Thus, these proposed amendments provide guidance for owners and operators of autocycles, and also provide clarification for law enforcement and, potentially, enhanced public safety.

### **Economic Impact**

The proposed amendments will not have an economic impact on the general public. The Commission does not anticipate an increase in expenses for businesses as a result of the proposed amendments because the rules do not introduce any new requirements. There is no need for any person or entity to hire personnel as a result of these changes in regulations. The total cost to the Commission to implement the statute and regulations pertaining to autocycles is estimated to be less than \$100,000. The main

factor impacting the cost is the production of autocycle license plates. In addition, there are modest development costs related to the updating of the Commission's information technology systems, as well as some minimal training costs.

#### **Federal Standards Statement**

These amendments are in conformance with Federal regulations. The proposed amendments adopt and/or incorporate the relevant Federal standards set forth in the American National Standards Institute ("ANSI") specification No. Z87.1-2003 for goggles and face shields, in the Federal Motor Vehicle Safety Standard ("FMVSS") No. 205 (49 C.F.R. 571.205) for windshields and in the FMVSS No. 218 (49 C.F.R. 571.218) for helmets. The proposed amendments do not cause the rules to exceed, or amend any rule that does, exceed Federal standards or requirements.

#### **Jobs Impact**

The Commission does not anticipate that the proposed amendments will have any impact on jobs. The rules do not repeal or introduce any new substantive changes to the existing regulations other than provide for the regulation of autocycles.

#### **Agriculture Industry Impact**

These amendments have no impact on the agriculture industry. They are not intended to regulate farming, crop, or animal production.

#### **Regulatory Flexibility Statement**

A Regulatory Flexibility Analysis is not required because this proposal does not impose reporting, recordkeeping or other compliance requirements on small businesses

as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments pertain solely to implementing the act regulating autocycles. Thus, the proposed amendments only affect individuals of the general public and may be of interest to certain law enforcement agencies.

### **Housing Affordability Impact Analysis**

It is not anticipated that these amendments will have any impact on affordable housing in New Jersey and there is an extreme unlikelihood that they will evoke a change the average costs associated with housing because these regulations pertain solely to the registration and operation of autocycles.

### **Smart Growth Development Impact Analysis**

It is not anticipated that these proposed amendments will have any impact on smart growth in New Jersey and there is an extreme unlikelihood that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because these regulations pertain solely to the registration and operation of autocycles.

**Full text** of the proposed amendments follow (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

13:20-7.2 Inspection of motor vehicles; test frequency; exempt vehicles

(a) – (b) (No change).

(c) The following vehicles, some of which may be subject to inspection under other provisions of law or rule, shall be exempt from the inspection requirements of this subchapter:

1. – 16. (No change).

(17) Gasoline or bi-fueled model year 2007 or older passenger vehicles with a GVWR of 8,501 to 14,000 pounds; [and]

(18) Gasoline or bi-fueled model year 2013 or older passenger vehicles with a GVWR of 14,001 pounds or greater[.]; and

(19) **Autocycles, as defined by N.J.S.A. 39:3:1-1 and registered pursuant to N.J.S.A. 39:3-10.34.**

## SUBCHAPTER 24. MOTORCYCLES AND AUTOCYCLES

### 13:20-24.1 Safety standards for goggles and face shields

(a) No person shall sell, offer for sale, or distribute any goggles or face shields for use by the operators of motorcycles **or autocycles**, unless they meet the American [Standard Safety Code] **National Standards Institute** specifications for [head, eye, respiratory] **personal eye and face protection devices** [22.1-1959] **Z87.1-2003**, incorporated herein by reference, as amended and supplemented.

(b) No person shall operate a motorcycle **or autocycle** without wearing goggles or a face shield unless the motorcycle **or autocycle** is equipped with a windscreen that meets [American Standard Safety Code specifications for head, eye, respiratory protection 22.1-1959] **Federal Motor Vehicle Safety Standard No. 205 (49 C.F.R. 571.205)**, as amended and supplemented.

13:20-24.10 Adoption and incorporation of Federal Motor Vehicle Safety Standard for motorcycle **and autocycle** helmets

(No change).

13:20-24.21 Motorcycle and autocycle license plates and tabs

[Effective at the time the 1970 motorcycle registrations are issued, o] Only one license plate and/or one license plate tab shall be issued for each motorcycle or autocycle, to be displayed horizontally, and clearly visible, on the rear of the motorcycle or autocycle. However, if a motorcycle or autocycle is equipped by the manufacturer solely to accommodate a vertically mounted license plate, the license plate may be mounted vertically and must be clearly visible on the rear of the motorcycle or autocycle, with its top fastened along the right vertical edge. In all cases, the license plate must be maintained free from foreign materials and in a clearly legible condition.

13:20-34.2 Registration numbers reserved

(a) The following registration numbers are reserved as specified:

1. - 45. (No change).

(46) UW 1000 through UW 9999, 1000 UW through 9999 UW, and UW 10AA through UW 99ZZ, except that the letters I, O, and Q shall not be utilized in such non-personalized plate combinations. Designated for use on United We Stand license plates issued by the Motor vehicle Commission pursuant to N.J.S.A. 39:3-27.131; [and]

(47) GS 1000 through GS 9999, 1000 GS through 9999 GS, and GS 10AA through GS 99ZZ, except that the letters I, O, and Q shall not be utilized in such non-personalized passenger plate combinations; XA 100GS through XZ 999GS in such non-personalized commercial plate combinations; XY 100AA through XY 999AA in such non-personalized farmer plate combinations; FX 10A through FX 99B in such non-personalized farm use plate combinations; and TA 100GS through TA 999GS in such non-personalized farm tractor plate combinations. Designated for use on Promote Agriculture license plates issued by the Motor Vehicle Commission pursuant to N.J.S.A. 39:3-17.116; and

(48) A1A1A through Z9Z9Z for autocycles.

(b) (No change).

13:20-34.3 Registration numbers excluded

(a) The following registration numbers shall be excluded from issuance as "particular identifying marks" and, where so indicated, shall be used for the purpose specified:

1. - 34. (No change).

**(35) A1A1A through Z9Z9Z for autocycles.**

(b) - (c) (No change).

13:20-43.2 Inspection requirements for motor vehicles; exempt vehicles

(a) (No change).

(b) The following vehicles, some of which may be subject to inspection under other provisions of law or rule, shall be exempt from the inspection requirements of this subchapter:

1. - 17. (No change).

(18) Gasoline or bi-fueled model year 2007 or older passenger vehicles with a GVWR of 8,501 to 14,000; [and]

(19) Gasoline or bi-fueled model year 2013 or older passenger vehicles with a GVWR of 14,001 pounds or greater[.]; and

**(20) Autocycles, as defined by N.J.S.A. 39:1-1 and registered pursuant to N.J.S.A. 39:3-10.34.**

13:21-5.5 **Motorcycle and autocycle** registration fee

The applicant for registration for a motorcycle **or autocycle** shall pay to the Commission for each registration a fee of \$43.50.

13:21-8.14 Vehicle used for road test

(a) – (e) (No change).

(f) **The road test cannot be administered in an autocycle.**

**ITEM 1706-04: ENFORCEMENT SERVICE – AMBER LIGHTS REGULATION****BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC), and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including these proposed amendments of the regulations concerning flashing amber lights for manufactured farm equipment.

**PURPOSE**

This is a Proposed Amendment. The effect of this item is to amend MVC regulations regarding a new federal regulation that requires flashing amber lights on manufactured farm equipment.

**ACTION**

Approval of this item will authorize the Chairman to file the regulations with the Office of Administrative Law (OAL) as a Proposed Amendment, in substantially the form as attached in Exhibit A.

MVC Board Chairman and Chief Administrator Raymond P. Martinez has adopted a policy that proposed rules are to be provided by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this version and the official version of the proposal, the official version will govern. All comments must be made consistent with instructions provided with the publishing of this proposal in the New Jersey Register.

**FISCAL IMPACTS**

None, as fees and MVC administrative costs are not changed.

**RESOLUTION**

**WHEREAS**, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including these proposed amendments of the regulations concerning flashing amber lights for manufactured farm equipment;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman is authorized to file with the Office of Administrative Law a notice of the proposed amendments of regulations concerning flashing amber lights for manufactured farm equipment, in substantially the form as attached in **Exhibit A**.

**TRANSPORTATION**

**MOTOR VEHICLE COMMISSION**

**Enforcement Service-Equipment for Emergency Vehicles and Other Specified  
Vehicles-Flashing Amber Lights for Farm Vehicles on any Public Roads**

**Proposed Amendments: N.J.A.C. 13:24-1.1, 4.1, 4.2**

Authorized By:

**Raymond P. Martinez, Chairman and Chief Administrator  
Motor Vehicle Commission**

Authority: N.J.S.A. 39: 2-3, 39:2A-28, 39:3-43, 39:3-50, and 39:3-69

Calendar Reference: See Summary below for explanation of exception to calendar  
requirement.

Proposal Number: PRN 2017-.

Submit comments by \_\_\_\_\_ to:

Kate Tasch, APO  
Regulatory and Legislative Affairs  
Motor Vehicle Commission  
225 East State Street  
PO Box 160  
Trenton, NJ 08666-0160  
or via e-mail to [rulecomments@mvc.nj.gov](mailto:rulecomments@mvc.nj.gov)

The agency proposal follows:

### Summary

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a) 5. Since this notice is not listed in the agency rulemaking calendar, the public comment period for this notice will be 60 days.

The Motor Vehicle Commission (the Commission or MVC) proposes amendments to the provisions of N.J.A.C. 13:24-1.1, 4.1 and 4.2, Equipment for Emergency Vehicles and Other Specified Vehicles-Flashing Amber Light Permits. The Commission proposes amendments in accordance with 49 U.S.C. 3011(a) and 49 C.F.R. 562, which, as of June 22, 2017, requires newly manufactured agricultural equipment that may be operated on a public road to meet certain lighting requirements, including flashing amber lights. The Commission believes the proposed amendments will improve daytime and nighttime visibility of farm vehicles on public roads.

N.J.A.C. 13:24-1.1 is a list of definitions of various words and terms used in N.J.A.C. 13:24. N.J.A.C. 13:24-4.1 pertains to Amber Flashing Light permit eligibility, and N.J.A.C. 13:24-4.2 pertains to amber flashing light permit application procedures. The Commission proposes to amend N.J.A.C. 13:24-1.1 by adding definitions "farm vehicle" and "public road." N.J.A.C. 13:24-4.1 is proposed for amendment by the addition of a new provision at paragraph (a)8 that allows for the issuance of an amber light permit for any farm vehicle that may be operated on a public road. The Commission proposes to amend N.J.A.C. 13:24-4.2 by adding a new provision at paragraph (f) permit application procedures for farm vehicles. The existing provision at N.J.A.C. 13:24-4.2(f), which pertains to the period of validity of amber flashing light permits is proposed for recodification as subsection (g).

### **Social Impact**

The proposed amendments will promote public interest in highway safety by allowing for the use of flashing amber lights on farm vehicles while being operated on public roads. The use of flashing amber lights improves visibility of farm vehicles on public roads, thus reducing the possibility for accidents, injuries and property damage.

### **Economic Impact**

Applicants seeking a flashing amber light permit pursuant to N.J.A.C. 13:24-4 will be subject to a \$25 fee for initial issuance and for each subsequent renewal of the permit for each vehicle.

The Commission does not anticipate a significant economic impact related to the issuance of flashing amber light permits because the \$25 permit fee will offset expenses incurred by the Commission as part of the process of issuing flashing amber light permits.

### **Federal Standards Statement**

The proposed amendments do not exceed any Federal requirements or standards. Federal law (49 U.S.C. 30111(a)) provides that the United States Secretary of Transportation shall prescribe motor vehicle safety standards. In accordance with 49 U.S.C. 30111(a) and its predecessor (15 U.S.C. 1392), the Secretary of Transportation has established safety standards for motor vehicles and motor vehicle equipment at 49 C.F.R. 571.101 et. seq. The proposed amendments are consistent with Federal regulations, including the requirements set forth at 49 C.F.R. 571.108 (Federal Motor Vehicle Safety Standard No. 108), which pertains to lamps, reflective devices and associated equipment) and 49 C.F.R. 562 (Lighting and Marking on agricultural equipment), which pertain to the requirements for lighting and marking on farm vehicles.

### **Jobs Impact**

The Commission does not anticipate that any jobs will be generated or lost as a result of the adoption of the proposed amendments

### **Agriculture Industry Impact**

The proposed amendments will not have any adverse impact on the agricultural industry. The proposed amendments will increase the safety of those operating farm vehicles on public roads when using a flashing amber light. The proposed amendments will also increase the safety of the public traveling those roadways.

### **Regulatory Flexibility Analysis**

The proposed amendments do not impose any reporting, recordkeeping, or other compliance requirements on small businesses as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments only require that an application for a permit be submitted by those seeking a flashing amber light permit. There is no reporting or recordkeeping requirement associated with the application for the permit.

### **Housing Affordability Impact Analysis**

The proposed amendments will have no impact on affordable housing and they will not evoke a change in the average costs associated with housing because the rules pertain solely to flashing amber lights for farm vehicles while being operated on the public roads.

### Smart Growth Development Impact Analysis

It is not anticipated that the proposed amendments to the rules will have an impact on smart growth and there is an unlikelihood that the amendments would evoke a change in housing production in Planning areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the rules pertain to flashing amber lights for farm vehicles while being operated on the public roads.

**Full text** of the proposed amendments follow (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### CHAPTER 24.

#### EQUIPMENT FOR EMERGENCY VEHICLES AND OTHER SPECIFIED VEHICLES

##### SUBCHAPTER 1. DEFINITIONS

##### 13:24-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

**“Farm vehicle” means any farm or agricultural tractor, self-propelled machine, implement or any combination thereof that is primarily designed for farm or agricultural operations.**

...

**“Public Road” means any road, street or highway under the jurisdiction of and maintained by a public authority and open to public travel.**

...

#### SUBCHAPTER 4. FLASHING AMBER LIGHT PERMITS

##### 13:24-4.1 Permit eligibility

(a) Owners or lessees of the following types of vehicles are eligible for flashing amber light permits.

1.-7: (No change.)

##### **8. Farm vehicles:**

**i. A flashing amber light may be used by a farm vehicle while traveling on a public road.**

##### 13:24-4.2 Permit application procedure

(a) (No change.)

(b) Except as otherwise provided in (c), (d) [and], (e) and (f) below, the application, after completion, is to be signed by the chief law enforcement official in the municipality in which the service is being provided. Thereafter, the application should be submitted to the Commission together with the fee specified in N.J.S.A. 39:3-50(d).

(c) – (e) (No change.)

**(f) The application, after completion, is to be signed by the chief law enforcement official in the municipality in which the farm is located. Thereafter, the application should be submitted to the Commission together with the fee specified in N.J.S.A. 39:3-50(d).**

**[(f)] (g) Amber light permits issued pursuant to this subchapter shall be valid for a period of four years, unless cancelled or revoked, and shall be nontransferable.**

**ITEM 1706-05: LICENSING SERVICE – FARM VEHICLES REGULATION****BENEFITS**

The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13, as the enabling statute that created the New Jersey Motor Vehicle Commission (MVC), and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to MVC the duty to promulgate regulations affecting various programs, including these proposed amendments of the regulations to implement standards for slow moving vehicle emblems, and related statutory and registration issues.

**PURPOSE**

This is a Proposed Amendment. The effect of this item is to amend regulations to implement standards for slow moving vehicle emblems, and related statutory and registration issues.

**ACTION**

Approval of this item will authorize the Chairman to file the regulations with the Office of Administrative Law (OAL) as a Proposed Amendment, in substantially the form as attached in Exhibit A.

MVC Board Chairman and Chief Administrator Raymond P. Martinez has adopted a policy that proposed rules are to be provided by the New Jersey Motor Vehicle Commission as a courtesy to inform the public about pending rules. This version is not the official text of the proposal and may differ from the official published text. The official text of the proposal is published in the New Jersey Register issue for the date indicated. Should there be any discrepancies between this version and the official version of the proposal, the official version will govern. All comments must be made consistent with instructions provided with the publishing of this proposal in the New Jersey Register.

**FISCAL IMPACTS**

None, as fees and MVC administrative costs are not changed.

**RESOLUTION**

**WHEREAS**, The Motor Vehicle Security and Customer Service Act, P.L. 2003, c.13 (the "Act"), as the enabling statute that created the Motor Vehicle Commission, and as amended by P.L. 2007, c.335 and by P. L. 2009, c.298, at sections 4 and 40 assigns to the Motor Vehicle Commission the duty to implement regulations affecting various programs, including these proposed amendments of the regulations to implement standards for slow moving vehicle emblems, and related statutory and registration issues;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman is authorized to file with the Office of Administrative Law a notice of the proposed amendments of regulations to implement standards for slow moving vehicle emblems, and related statutory and registration issues, in substantially the form as attached in Exhibit A.

**TRANSPORTATION**

**MOTOR VEHICLE COMMISSION**

**Licensing Service**

**Farm Vehicles**

**Proposed Amendments: N.J.A.C. 13:21-12.1, 12.3, 12.4, 12.10, and 12.11**

Authorized By: \_\_\_\_\_

Raymond P. Martinez, Chairman and Chief Administrator  
Motor Vehicle Commission

Authority: N.J.S.A. 39:2-3; 39:2A-2; 39:2A-21; 39:2A-28; 39:3-24, and 39:3-24.2.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-

Submit comments by \_\_\_\_\_ to:

Kate Tasch  
APO  
Motor Vehicle Commission  
225 East State Street  
PO Box 160  
Trenton, NJ 08666-0160  
or via e-mail to: [rulecomments@mvc.nj.gov](mailto:rulecomments@mvc.nj.gov)

The agency proposal follows:

**Summary**

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5. The public comment period for this notice of proposal will be 60 days, as this proposal is not listed in the agency's rulemaking calendar.

The Motor Vehicle Commission (Commission) proposes rule amendments to implement certain provisions of P.L. 2016, c. 292, which amended N.J.S.A. 39:3-24 ("Farm tractors, traction equipment; registration; operation; fee") and N.J.S.A. 39:3-25 ("Farmer' license plate, issuance, fee, expiration"). P.L. 2016, c.292 requires the Commission to design a slow moving vehicle emblem, adopt rules for the emblem's specifications and placement, set the distance permitted to be travelled by vehicles registered under N.J.S.A. 39:3-24 upon the public roadways, and adopt rules for the registration of self-propelled sprayers.

N.J.A.C. 13:21-12.1 lists vehicles within the scope of the subchapter addressing the use of the public highways by vehicles registered as farm vehicles. N.J.A.C. 13:21-12.1 is proposed for amendment to delete the specific listing of vehicles included, so that the regulation will include vans, sport utility vehicles, or similar vehicles engaged in the carrying or transportation of farm products and farm supplies, pursuant to P.L. 2016, c. 292.

N.J.A.C. 13:21-12.3, which addresses hours of travel and visibility requirements, is proposed for amendment to allow vehicles registered pursuant to N.J.S.A. 39:3-24 to operate three hours before sunrise and after sunset as long as the vehicle is equipped with proper safety lighting, consistent with P.L. 2016, c. 292.

The Commission proposes to amend N.J.A.C. 13:21-12.4, which currently restricts farm vehicle travel to 15 miles of highway, to allow farm vehicles to travel on public highways for a distance of at least 50 miles pursuant to P.L. 2016, c. 292.

The Commission proposes to amend N.J.A.C. 13:21-12.10 (currently reserved), to provide specifications for slow moving vehicle emblems, and standards for the display of the emblems.

The Commission proposes to amend the subchapter with the addition of N.J.A.C. 13:21-12.11, which addresses the registration requirements for self-propelled sprayers, pursuant to P.L. 2016, c. 292.

### **Social Impact**

The proposed amendments will have a positive social impact on the motoring public and on farmers and agricultural schools that need to move farm tractors, traction equipment, farm machinery and farm implements on the public highways. The proposed amendments increase safety by increasing the visibility of farm vehicles traveling the public highways, and also increase convenience to the agricultural community by adding other types of vehicles that may qualify for farmer plates, expanding the hours certain vehicles may travel on the public highways, and increasing the distance farm vehicles may travel on the public highways.

The proposed amendments also provide clarity and guidance regarding the registration of self-propelled sprayers.

### **Economic Impact**

The proposed amendments will have a minimal economic impact on the agricultural community. Farmers who operate or tow farm vehicles on public highways will have to purchase a slow moving vehicle emblem that meets certain specifications as set forth in the regulations. The emblems are readily available and, on average, cost less than \$20 each. The safety precautions provided to the operators of farm vehicles and the

motoring public far outweigh the minimal cost of purchasing slow moving vehicle emblems. In addition, the \$16.50 registration fee for self-propelled sprayers operated on public highways is modest, and justified in light of the public interest in registering vehicles traveling the public highways. There is no registration requirement for self-propelled sprayers that are operated exclusively on private property.

#### **Federal Standards Statement**

The proposed amendments have no comparable Federal standard that can be applied; therefore, a Federal standards analysis is not required for this rulemaking.

#### **Jobs Impact**

The Commission does not anticipate that the proposed amendments will have any impact on jobs in the agricultural community or the Commission. These proposed regulations merely expand the types of vehicles that are eligible for farmer plates, increase the time and distance certain vehicles can operate on public highways, and increase the safety of public highway travel.

#### **Agriculture Industry Impact**

The proposed amendments expanding the types of vehicles that are eligible for farmer plates, increasing the time and the distance certain vehicles may operate on public highways, allowing for the registration of self-propelled sprayers, and increasing safety by requiring slow moving vehicle emblems, will have a positive impact on the agricultural industry in New Jersey in terms of increased safety and convenience. The only negative impact is the minimal cost of the slow moving vehicle emblem and the registration fee for self-propelled sprayers, both of which are outweighed by the public benefits of these requirements, and the benefits to the agricultural community.

### **Regulatory Flexibility Analysis**

The proposed amendments do not impose any reporting or recordkeeping requirements on small businesses. The proposed amendments do impose new compliance requirements on the agricultural industry in New Jersey, of which many are expected to be defined as small business pursuant to N.J.S.A. 52:14B-16 et seq. Farm owners intending to operate or tow farm vehicles on public highways will be required to purchase and properly display slow moving vehicle emblems on farm tractors, traction equipment, farm machinery or farm implements and any farm tractors, traction equipment, farm machinery or farm implements drawn by a motor vehicle while traveling on the public highways.

The initial compliance cost is difficult to estimate and will vary widely from farm to farm depending on the number of slow moving vehicle emblems each farm needs to purchase. Slow moving vehicle emblems are widely available for sale and cost, on average, under \$20.00 each, and may be transferred between vehicles. Accordingly, any cost of compliance is minimal and will not require the business to employ professional services.

Additionally, slow moving vehicle emblems must meet certain standards established by the American Society of Agricultural Biological Engineers and be properly mounted to be an effective safety device. Accordingly, exemptions from all or part of the proposed amendments is not in the best interest of the public health, safety or welfare.

### **Housing Affordability Impact Analysis**

The proposed amendments will have no impact on affordable housing and will not evoke a change in the average costs associated with housing because the proposed amendments pertain solely to the operation of farm vehicles while traveling on public highways.

### **Smart Growth Development Impact Analysis**

The proposed amendments will have no impact on smart growth and will not evoke a change in housing production in Planning Areas 1 or 2, or within designated centers under the State Development and Redevelopment Plan in New Jersey because the proposed amendments pertain solely to the operation of farm vehicles while traveling on public highways.

**Full text** of the proposed amended and new regulations follows, additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 12: FARM VEHICLES

13:21-12.1 Vehicles exempted from statutory provisions

Within the restrictions listed in this Subchapter, vehicles registered under the provisions of N.J.S.A. 39:3-24 [(self-propelled farm tractors, traction equipment, farm machinery and implements being operated singly or while drawing other farm implements or machinery),] and N.J.S.A. 39:3-25 [(farmer trucks, while drawing a farm implement or machine)] may be operated on highways of this State singly or while drawing one piece of farm machinery or implement except that a farm tractor may draw two pieces of farm machinery or implements, one of which may carry a load, and such vehicles or

combinations in either case may exceed the commercial vehicle dimension limitations as provided for under N.J.S.A. 39:3-84.

13:21-12.3 Hours of travel; visibility requirements

(a) [Such vehicles as described in Section 12.1 (Vehicles exempted from statutory provisions) of this Chapter] **Vehicles registered pursuant to N.J.S.A. 39:3-24 shall not be operated on a public highway at any time between sunset and sunrise except for vehicles being operated under contract with a municipality to remove snow or vehicles equipped with proper safety lighting, during the three hours before sunrise and the three hours after sunset.**

(b) ( No change.)

13:21-12.4 Distance of travel

The vehicle or vehicles shall not be used to traverse a distance exceeding [15] **50** miles of highway in traveling from one farm or portion thereof, to another farm or portion thereof, both owned or managed by the registered owner of the vehicle or vehicles.

13:21-12.10 [(Reserved)] **Slow moving vehicle emblem**

**A vehicle, not for hire, used exclusively as a farm tractor, traction equipment, farm machinery or farm implement and any farm tractor, traction equipment, farm machinery or farm implement drawn by a motor vehicle traveling on the roads of this State, day or night, shall display a reflective slow moving vehicle emblem on the rear of the vehicle as specified in this Subchapter. The use of the slow moving**

vehicle emblem shall be in addition to any other lighting device or equipment required by this Subchapter.

**(a) Characteristics:**

- I. The slow moving vehicle emblem's material, location and mounting must be in accordance with American Society of Agricultural and Biological Engineers (ASABE) standards, and must display the manufacturer's name and address on the emblem and a statement that the emblem meets the standards of ASAE S276.5, as updated.
- II. The slow moving vehicle emblem must be visible from a distance of at least 600 feet, day or night.
- III. The slow moving vehicle emblem must be clean, undamaged and not faded.

**(b) Location:** the slow moving vehicle emblem must be visible from the rear of the vehicle with the triangle pointed upward, in the center of the vehicle or as near left-center as practical, two to six feet above the ground and securely attached if not permanently mounted.

**(c) Towed vehicles:** The slow moving vehicle emblem shall be mounted on any farm tractor, traction equipment, farm machinery or farm implement drawn by a motor vehicle unless the towing vehicle displays the emblem in such a manner as to be clearly visible.

**(d)** The above provisions shall not apply to vehicles traveling at speeds in excess of 25 miles per hour, at which time the slow moving vehicle emblem shall be removed.

**13:21-12.11 Self-propelled sprayers**

**(a) A self-propelled sprayer is defined as any vehicle that is self-propelled and designed to apply fertilizer, pesticide, or any other appropriate substance on farmland.**

**(b) Self-propelled sprayers shall be registered with the New Jersey Motor Vehicle Commission to operate upon a public highway unless exempt by N.J.S.A. 39:3-26.1.**

**(c) An applicant for a self-propelled sprayer registration must present:**

- 1. A notarized bill of sale containing the year, make, Vehicle Identification Number, seller's and buyer's name and address, date of sale and purchase price;**
- 2. A pencil tracing or printed-out photograph of the Vehicle Identification Number;**
- 3. An executed BA-49, New Jersey Vehicle Registration Application; and**
- 4. The appropriate registration fee.**

**(d) Self-propelled sprayers will not be issued a New Jersey certificate of title.**



# New Jersey Motor Vehicle Commission

P.O. Box 160  
Trenton, New Jersey 08666-0160

STATE OF NEW JERSEY

To: Raymond P. Martinez, Chairman  
 CC: MVC Board Members  
 From: Laura Hahn, Legislative Liaison  
 Date: June 13, 2017  
 Re: Legislative Report

Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

Raymond P. Martinez  
Chairman and Chief Administrator

This Legislative Report provides a summary of legislative activity since the April 2017 Motor Vehicle Commission (MVC) Board meeting.

### **Bills Signed into Law**

**A-2087** (Mukherji D-33; Schaer D36; Downey D11; Quijano D20; Greenstein D14; Turner D15)

**Grants drivers additional time to resolve parking violations prior to license or registration suspension.**

- This bill increases the amount of notice that a driver must receive before their license is suspended and allows drivers to provide proof of electronic payments for certain fines and penalties.
- Under current law, a judge or the Motor Vehicle Commission may suspend a person's driver's license for unpaid parking fines or penalties or if the person has been found guilty of a parking offense.
- This bill requires that the effective date of the suspension be at least 30 days from the date that the notice of suspension or proposed suspension was mailed by the commission. In addition, if the suspension results from unpaid parking fines or penalties, this bill permits a person who receives the notice of suspension, but has previously paid all outstanding fines or penalties, to provide proof of the electronic payment to the court. If the court finds that all outstanding fines and penalties were paid, the court is required to notify the commission and the person's driver's license must not be suspended.

*05/11/17: Signed by the Governor P.L.2017, c.75*

**S-3015** (Rice D28; Ruiz D29; Sumter D35; Oliver D34; Schaer D36; Pintor Marin D29)

**Requires study of program allowing community service in lieu of paying motor vehicle surcharges.**

- This bill requires the Department of Labor and Workforce Development, in consultation with the Department of the Treasury and the Motor Vehicle Commission, to study a program allowing community service as an alternative to paying motor vehicle surcharges under certain circumstances.

- Specifically, the bill requires this study to determine the administrative efficiency of a program that allows persons to perform community service in lieu of paying motor vehicle surcharges when the person is:
  - (1) unemployed;
  - (2) unable to pay certain motor vehicle surcharges; and
  - (3) enrolled in a job training or education program, including applying for a commercial driver license or endorsement.
- The study also is to determine the impact of the program on surcharge revenue and the State's bond and budgetary obligations.
- The bill requires the study to be completed and submitted to the Governor within six months.

*05/01/17: Signed by the Governor P.L.2017, c.60*

### **Bills on the Governor's Desk**

**A-374** (Auth. R39; Prieto D32; Schepisi R39; Jimenez D32; Mukherji D33; Sacco D32; Cruz-Perez D5)

**Prohibits MVC from imposing duplicate license or identification card fee and digitized picture fee if duplicate is requested to reflect change in organ donor status.**

- This bill prohibits the New Jersey Motor Vehicle Commission from imposing duplicate identification card fees and replacement driver's license fees, including the digitized picture fee, if a person requests the duplicate identification card or replacement license solely for the purpose of reflecting that the person has become an organ donor.
- Currently, the cost of having a duplicate identification card or replacement license issued is \$11, including the digitized picture fee.

*05/22/17: Passed in Assembly and sent to Governor 75-0-0*

**S-2564/A-4115** (Weinberg D37; Bucco R25; Johnson D37; Vainieri Huttie D37; Bucco R25; Quijano D20; Holley D20; Mukherji D33)

**Provides that driver's license and identification cards expire every four years on licensee or cardholder's birthday.**

- This bill provides that a person's driver's license expires four years after issuing the license on the numerical date of the person's birthday. Under current law, a person's driver's license expires on the last day of the 48th month after the license was issued.
- The Assembly amendments provide that an identification card is to expire during the fourth calendar year following its date of issuance and on the same calendar day as the person's date of birth instead of four calendar years from the date of issuance on the same day as the identification card holder' date of birth. The amendments also include the technical changes to provide proper reference to the Chief Administrator of the New Jersey Motor Vehicle Commission and to sections of law identified within the bill.

*03/16/17: A-4115 – Substituted by S-2564*

*05/25/17: S-2564 – Received in Senate, 2nd reading in Senate to concur with Assembly amendments*

*05/25/17: Passed in Senate and sent to Governor 39-0*

**Recent Action on Bills of Note**

**A-2729/S-1750** (Bucco R25; DeAngelo D14; Space R24; Mosquera D4; Wisniewski D19; DeCroce, B. R26; Mukherji D33; Madden D4; Cruz-Perez D5)

**Establishes special motorcycle license plates for veterans.**

- The committee amended the Assembly version of the bill to make it identical to the Senate version, which conforms the language of the bill to similar license plate legislation now before the Legislature. Specifically, the amendments provide that the special Military Veteran motorcycle license plates issued in accordance with the bill are to display the words "U.S. Vet" and an image of the American flag. The amendments remove language providing for a one-time \$15 fee and replaced it with a requirement of an initial fee of \$50 as well as an annual fee of \$10 for the Military Veteran motorcycle license plates.
- The amendments also establish the "Military Veteran Motorcycle License Plate Fund" (fund) and provide that the fees collected for the license plates are to be deposited in the fund after the commission is reimbursed for all costs incurred for designing, producing, issuing, renewing, and publicizing the availability of the license plates and any computer programming changes that are initially necessary to implement the license plate program. The amendments further specify that monies in the fund are to be annually appropriated to the department to be used for programs that benefit military veterans.
- The amendments prohibit the use of State and other public funds for the initial cost of designing, producing, issuing, and publicizing the license plates and any necessary computer programming changes. The amendments require the liaison appointed by the department to provide the commission with not less than 500 completed applications and an individual or entity designated by the department to provide the commission with the money necessary, not to exceed \$25,000, to offset the initial costs of the license plate program before the commission may begin designing, producing, issuing, or publicizing the availability of Military Veteran motorcycle license plates.
- Finally, the amendments provide that the bill is to remain inoperative until the applications and fees required to offset the initial costs incurred by the commission are provided by the department's designee and that the bill expires after 12 months if sufficient applications and fees to offset the initial costs are not received. Prior to amendment, the bill was to take effect on the first day of the seventh month following enactment.

*05/18/17: Reported out of committee with committee amendments, 2nd reading in Assembly*

**A-3798/S-211** (Singleton D7; Wimberly; Chiaravalloti D31; Mukherji D33; Auth R39)  
**Authorizes use of school bus monitoring systems.**

- This bill authorizes the use of a school bus monitoring system to enforce section 1 of P.L.1942, c.192 (C.39:4-128.1), the State law governing passing a school bus. A school bus monitoring system is defined as a system meeting certain requirements set forth in the bill and having at least one camera and computer that captures and records a digital video or image of any motor vehicle operating near a school bus.
- The committee amended the bill to:
- In the case of a violation of the school bus passing law that is not evidenced by an image captured by a school bus monitoring system, modify the penalty for a first offense by: 1) changing the fine from no less than \$100 to a fixed fine of \$250; 2) changing the community service requirement from 15 days to no more than 15 days; and 3) eliminating imprisonment as a possible penalty.
- In the case of subsequent offenses, the amendments revise the penalty by: 1) changing the fine from no less than \$250 to a fixed fine of \$500; 2) adding community service of no less than 15 days as an option; and 3) eliminating imprisonment as a possible penalty;
- In the case of a violation of the school bus passing law that is evidenced by an image captured by a school bus monitoring system, the amendments revise the penalty by: 1) reducing the financial penalty from no less than \$300 and no more than \$500 to a fixed penalty of \$250; and 2) stipulating that a violator would not be assessed any automobile insurance eligibility points.

*05/18/17: Reported out of committee with committee amendments, Referred to Assembly Appropriations Committee*

*06/01/17: Reported out of committee, 2<sup>nd</sup> Reading in the Assembly*

**A-3829** (Houghtaling D11; Downey D11; Andrzejczak D1; DeAngelo D14; Mukherji D33)  
**Permits issuance of motorcycle endorsement to certain out-of-State military personnel.**

- This bill would allow out-of-State members of the military, spouses of the members, and their dependents, to receive a motorcycle endorsement for their valid New Jersey driver's license while serving in another state without returning to New Jersey to retake a written or road test, or to complete another motorcycle safety course.

*05/22/17: Passed in Assembly 76-0-0*

**A-4185/S-2979** (Mukherji D33; Bucco R25; Giblin D34; Doherty R23; Scutari D22)  
**Concerns certain business requirements for motor vehicle dealers.**

- This legislation amends R.S.39:10-19 to clarify the requirements for an established place of business of a licensed used motor vehicle dealer and allows a licensed dealer of new and used motor vehicles or a licensed dealer of used motor vehicles (dealer) to temporarily remove from the dealer's premises the forms, papers, and records required by the New Jersey Motor Vehicle Commission (MVC), if the documents were removed for a business purpose, including but not limited to, acquiring a motor vehicle, certificate of origin, certificate of ownership, or title papers by the dealer.
- The committee amended the bill to remove the retroactive effective date so that the bill takes effect immediately.

*05/15/17: Reported out of committee with committee amendments, 2nd reading in Senate*

**S-2335** (Cruz-Perez D5)

**Establishes certain additional examination and special learner's permit requirements.**

- This bill changes the graduated driver licensing law by requiring holders of examination permits and special learner's permits under the age of 21 to complete a minimum number of hours of certified practice driving. Persons with a special learner's permit and persons under 21 years of age who have been issued an examination permit are required to complete at least 50 hours of practice driving, at least 10 hours of which are to be completed during hours of darkness. The parent or guardian, or the supervising driver, of a permit holder is to certify that these hours of practice driving were completed. The chief administrator is to suspend the driving privileges of any permit holder who submits a fraudulent certification.

*05/01/17: Referred to Senate Budget and Appropriations Committee*

**S-2415** (Rice D28)

**Establishes For-Hire Vehicle License Plate Task Force; requires issuance of uniquely colored license plate for certain for-hire vehicles and registration of certain for-hire vehicles**

- This bill creates the For-Hire Vehicle License Plate Task Force to design and select a unique color for license plates to be issued by the New Jersey Motor Vehicle Commission (MVC) for display on certain for-hire vehicles and requires the Chief Administrator of the MVC (chief administrator) to issue license plates of a unique color for display on certain for-hire vehicles.
- The bill also requires the MVC to establish a public awareness campaign and create and maintain a for-hire personal motor vehicle registry.

*05/01/17: Reported out of committee, Referred to Senate Budget and Appropriations Committee*

**S-2501** (Van Drew D1; Singer R30)**Requires MVC to educate and test drivers on responsibilities during police stop.**

- This bill requires the Chief Administrator of the Motor Vehicle Commission to inform and test drivers on their responsibilities when interacting with a law enforcement officer during a traffic stop. Under the bill, the chief administrator is required to include in the driver's manual additional information advising drivers who are stopped by a law enforcement officer to pull to the far right side of the road, turn off the motor vehicle's engine and radio, avoid sudden movements, and keep the driver's hands in plain view of the officer.
- The bill allows the chief administrator to provide additional information in the manual regarding the driver's responsibilities. The chief administrator is permitted to distribute all remaining copies of the existing manual before reprinting it with the additional information.
- The bill also requires the chief administrator to expand the driver's license examination to include a question regarding responsibilities during a traffic stop
- The committee amended the bill to require the chief administrator to consult with the Attorney General regarding the information explaining a driver's responsibilities during a traffic stop that is to be included in the driver's manual and make technical changes to reflect the current statutory law.

*05/08/17: Reported out of committee with committee amendments, Referred to Senate Budget and Appropriations Committee*

**S-2854/A-4401** (Beach D6; Madden D4; Greenwald D6; Land D1; Andrzejczak D1)**Authorizes certain benefits for certain family members of military personnel who died while on active duty.**

- As amended, this bill authorizes the Chief Administrator of the Motor Vehicle Commission to approve and issue a driver's license and an identification card with a Gold Star Family designation for certain family members of servicemen and servicewomen who lost their lives while on active duty for the United States. A Gold Star Family member is defined to mean a spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood or by adoption.
- The types of proof needed to demonstrate a familial relationship include certification from the New Jersey section of the American Gold Star Mothers, Inc., a federal DD Form 1300 (Report of Casualty), federal DD Form 2064 (Certificate of Death Overseas), or other documentation deemed appropriate by the Adjutant General.
- Under this bill, the holder of a driver's license or identification card with a Gold Star Family designation would be eligible for certain benefits, including:
  - Free or reduced price admission to New Jersey beaches;
  - Free admission to State parks and forests;
  - Free admission to the New Jersey State Museum;
  - Waiver of license fees charged by several professional and occupational licensing boards in the Division of Consumer Affairs in the Department of Law and Public Safety; and
  - Admission into homes, institutions, and hospitals administered by the Department of Military and Veterans' Affairs.

- In addition, this bill permits holders of a driver's license or identification card with a Gold Star Family designation to present the card to the Motor Vehicle Commission to establish the holder's eligibility to receive a Gold Star Family motor vehicle license plate. The bill also requires the Motor Vehicle Commission to provide to the Department of Military and Veterans' Affairs personal identifying information of any person issued a Gold Star Family license plate or a driver's license or identification card with a Gold Star Family designation.
- The committee amendments change the effective date of the bill, having the bill take effect on the first day of the sixth month following the date of enactment instead of immediately.

*06/01/17: Reported out of committee with committee amendments, 2nd reading in Senate*

**S-2894/A-4165** (Gill D34; Chaparro D33; Mukherji D33; Chiaravalloti D31)

**Requires driver education course, certain new driver brochures, and driver's license written exam to include cyclist and pedestrian safety information.**

- As amended and reported, this bill requires the curriculum for approved classroom driver education courses and the informational brochure distributed by the New Jersey Motor Vehicle Commission (MVC) to the parents and guardians of beginning drivers to include information concerning operating a motor vehicle in a manner that safely shares the roadway with pedestrians, cyclists, skaters, riders of motorized-scooters, and other non-motorized vehicles. This curriculum is to include, but is not to be limited to, passing a cyclist on the roadway, recognizing bicycle lanes, navigating intersections with pedestrians and cyclists, and exiting a vehicle without endangering pedestrians and cyclists.
- The bill further provides that the written examination, which is to be passed in order to be issued a basic driver's license, special learner's permit, or examination permit, is to include questions on cyclist and pedestrian safety, and that the MVC may include these questions as part of the 20 questions that may be added to the exam on subjects to be determined by the MVC that are of particular relevance to youthful drivers.
- The committee amended the bill to clarify that the questions regarding cyclist and pedestrian safety that are to be included in the written examination may be included in the 20 questions that may be added to the exam on subjects to be determined by the MVC that are of particular relevance to youthful drivers.

*06/01/17: Reported out of committee with committee amendments, Referred to Senate Budget and Appropriations Committee*