

<u>Document</u>	<u>Value</u>
United States or United States Territory birth certificate	4
United States Department of State birth certificate (Form FS-545 or DS-1350)	4
United States Department of State Consular Report of Birth Abroad (Form FS-240)	4
United States adoption papers	4
United States passport (current or expired less than three years)	4
New Jersey digitized driver license (current or expired less than three years)	4
Valid New Jersey non-driver digitized identification card	4
Valid United States military photo identification card	4
Certificate of Naturalization (Form N-550, N-570 or N-578)	4
Certificate of Citizenship (Form N-560, N-561 or N-645)	4
Special learner's permit with digitized image	4
Examination permit with digitized image	4
Provisional license with digitized image	4

ii. A person who is not a United States citizen must submit at least one document from the following list:

<u>Document</u>	<u>Value</u>
Current Alien Registration Card (Form I-551) with expiration date and with Immigration and Naturalization Service (INS) or Bureau of Citizenship and Immigration Services (BCIS) verification	4
Foreign passports with INS or BCIS verification and with valid record of arrival/departure (Form I-94) or valid I-551 stamp in passport	4
Refugee Travel Document (Form I-571)	4
United States Re-entry Permit (Form I-327)	4
Valid I-94 stamped "Refugee," "Parolee," "Asylee" or "Notice of Action" (Form I-797 approved petition) by INS or BCIS	4
Valid I-94 with attached photo stamped "Processed for I-551 ... " by INS or BCIS	4
Current photo employment authorization card (Form I-688B or I-766) (must be presented with a valid social security card)	3
Current Alien Registration Card (Form I-551) without expiration date and with INS or BCIS verification	2
Photo Temporary Resident Card (Form I-688)	2

2. Secondary documents:

i. United States citizens and persons who are not United States citizens must submit at least one document from the list below.

<u>Document</u>	<u>Value</u>
Valid New Jersey digitized driver license (a secondary document for non-United States citizens only)	4
Special learner's permit with digitized image (a secondary document for non-United States citizens only)	4
Examination permit with digitized image (a secondary document for non-United States citizens only)	4
Provisional license with digitized image (a secondary document for non-United States citizens only)	4
Legal name change court order signed by a judge or court clerk	3
Civil marriage certificate or divorce decree	3

<u>Document</u>	<u>Value</u>
Current United States military dependent card	3
United States military photo retiree card	3
New Jersey firearm purchaser card	3
Valid United States government employee driver license	2
Valid United States government employee photo identification card	2
United States military discharge papers (DD214)	2
Federal Aviation Administration pilot license	2
United States school photo identification card with transcript or school records	2
United States college photo identification card with transcript	2
Current New Jersey non-digitized photo driver license	1
Current photo driver license of any other state of the United States including the District of Columbia	1
State professional license	1
New Jersey public assistance card with photo	1
Social Security card with Social Security Administration (SSA) verification	1
High school diploma or GED (general equivalency diploma)	1
Bank statement/record (cannot be submitted in conjunction with ATM card)	1
ATM (automated teller machine) card with preprinted name and applicant's signature (cannot be submitted in conjunction with bank statement)	1
Current health insurance card or current prescription card	1
Current employee identification card accompanied by a printed pay stub	1
Property tax statement, bill or receipt issued by a New Jersey municipality	1
High school certificate (written test waiver)	1
Veteran's Administration universal access photo identification card	1

(c) Each applicant must present for inspection an acceptable proof of address document which may be, but is not limited to, the following:

1. A utility or credit card bill displaying applicant's name at current address, issued within last 90 days;
2. A property tax bill, statement or receipt within last year;
3. Any letter or correspondence (including tax bills) received from the Federal Internal Revenue Service or any state tax office within the past year;
4. A high school or college report card or transcript within past two years (must contain address);
5. An original lease or rental agreement with the name of the applicant listed as the lessee or renter;
6. First class mail from any government agency within six months;

7. A checking or savings account statement (bank or credit union) within 60 days; or

8. A certification, verifying the address of an applicant under 18 years of age who does not have his or her own proof of address verification, from a parent or guardian.

(d) The identity of the applicant shall be deemed to be the name recorded on the document(s) submitted to the Commission pursuant to this section unless evidence of a different name is established by the submission of a civil marriage certificate, divorce decree or order of court.

(e) Any person from a foreign country who is in New Jersey for a period of one year or less may operate a motor vehicle in this State if he or she is the holder of a current driver's license in good standing from the country in which he or she resides provided that such license authorizes operation of the class of vehicle to be operated in this State. The Chief Administrator may deny, suspend or revoke the driving privilege conferred by this subsection for violation of any of the provisions of Title 39 of the Revised Statutes or on other reasonable grounds upon notice and an opportunity to be heard pursuant to the procedures in N.J.A.C. 13:19-1.

(f) Any person from a foreign country who is in New Jersey for a period of one year or less and who would be entitled to operate a motor vehicle in this State pursuant to (e) above but for the fact that he or she is not the holder of a driver's license from the country in which he or she resides shall be eligible to make application for a New Jersey driver's license or permit. The Chief Administrator shall suspend or revoke any driver's license or permit issued pursuant to this subsection upon expiration of the license or permit holder's lawful presence in the United States unless it is demonstrated that the person's continued presence in the United States is authorized under Federal law.

(g) The Commission shall not issue a driver's license or permit to a person who is entitled to operate a motor vehicle in this State pursuant to (e) above or who is entitled to operate a motor vehicle in this State under a reciprocity privilege granted by any law, unless said reciprocity privilege is revoked or terminated by the establishment of residence in this State and the surrender of said person's current out-of-State driver's license to the Commission upon issuance of a New Jersey driver's license.

R.1970 d.6, effective January 9, 1970.

See: 1 N.J.R. 20(c), 2 N.J.R. 18(b).

As amended, R.1979 d.382, effective September 26, 1979.

See: 11 N.J.R. 385(a), 11 N.J.R. 580(d).

As amended, R.1980 d.493, effective November 6, 1980.

See: 12 N.J.R. 281(a), 12 N.J.R. 726(e).

(b)1 "civil" deleted (b)2 "civil" and "cannot be obtained" deleted, "is unavailable" added; (b)2i was "Hospital birth certificates", (b)2ii deleted, (b)2iii through ix renumbered as ii through vii; (b)2iv "the United States or passport issued by" added, "may be used by an alien provided that an I-94" deleted.

Amended by R.1986 d.68, effective March 17, 1986.

See: 18 N.J.R. 49(a), 18 N.J.R. 567(a).

Amended by R. 1994 d.486, effective September 19, 1994.

See: 26 N.J.R. 2522(a), 26 N.J.R. 3874(a).

Emergency amendment, R.2003 d.280, effective June 16, 2003 (to expire August 15, 2003).

See: 35 N.J.R. 2946(a).

Rewrote the section.

Adopted concurrent amendment, R.2003 d.365, effective September 15, 2003.

See: 35 N.J.R. 2946(a), 35 N.J.R. 4299(a).

In (a), amended the website in 9; in (b), inserted a reference to Form FS-240 in the list in 1i and inserted a reference to current employee identification cards accompanied by a printed pay stub in the list in 2i.

Amended by R.2006 d.250, effective July 3, 2006.

See: 38 N.J.R. 445(a), 38 N.J.R. 2875(a).

In (d) and (g), substituted "Commission" for "Division"; and in (e) and (f), substituted "Chief Administrator" for "Director".

Petition for Rulemaking.

See: 41 N.J.R. 2809(a).

13:21-8.3 Permits

(a) The following applicants must produce a valid permit when appearing for examination:

1. Initial applicants;
2. Applicants appearing for re-testing;
3. Applicants holding an out-of-State driver's license.

R.1970 d.6, effective January 9, 1970.

See: 1 N.J.R. 20(c), 2 N.J.R. 18(b).

13:21-8.4 Physical and mental qualifications

(a) A person may be prohibited from obtaining or holding a New Jersey driver's license or permit if he or she:

1. Has any physical disability, which cannot be compensated for by use of a prosthetic device(s) or special vehicle equipment, which would render him or her incapable of operating a motor vehicle in a safe manner as determined by an actual driving demonstration.
2. Through any mental or physical defect is incapable of operating a motor vehicle in a safe manner.

(b) In the case of a mental or physical disability, a medical certificate, completed by a licensed physician, may be required.

R.1970 d.6, effective January 9, 1970.

See: 1 N.J.R. 20(c), 2 N.J.R. 18(b).

Amended by R. 1994 d.486, effective September 19, 1994.

See: 26 N.J.R. 2522(a), 26 N.J.R. 3874(a).

Amended by R.2001 d.19, effective January 16, 2001.

See: 32 N.J.R. 3739(a), 33 N.J.R. 277(a).

In (b), deleted "New Jersey".

Amended by R.2006 d.250, effective July 3, 2006.

See: 38 N.J.R. 445(a), 38 N.J.R. 2875(a).

In (a)1, inserted gender neutral reference; and in (a)2, inserted "a" following "operating".

Case Notes

Indefinite suspension of driver's license due to mental incapacity was dismissed after motorist admitted that he had not experienced earlier reported hallucinations. *Kelly v. New Jersey Division of Motor Vehicles*, 96 N.J.A.R.2d (MVH) 8.