

SUBCHAPTERS 7 THROUGH 8. (RESERVED)

SUBCHAPTER 10. (RESERVED)

SUBCHAPTER 9. UNINSURED MOTORISTS

SUBCHAPTER 11. ORGANIZATION OF THE
DIVISION OF MOTOR VEHICLES**13:18-9.1 Security deposits for uninsured motorists**

(a) A deposit from an uninsured motor vehicle owner or operator to secure the payment of any reimbursement of the Unsatisfied Claim and Judgment Fund for the payment of personal injury protection benefits the Fund has made or shall make pursuant to N.J.S.A. 39:6-86.1 or 39:6-86.4, or any judgment or judgments which may be rendered against him or her for damages arising out of a motor vehicle accident in which such an individual has been involved shall be required in those situations where:

1. The uninsured owner or operator has been involved in an accident resulting in injury to a passenger in his or her vehicle and the passenger is not otherwise protected by an automobile insurance policy;
2. The uninsured owner or operator has been involved in an accident resulting in injury to a pedestrian or bicyclist who is not otherwise protected by an automobile insurance policy;
3. The uninsured owner or operator has been involved in an accident resulting in injury to a nonresident motorist who is not protected by uninsured motorist coverage;
4. The uninsured owner or operator has been involved in an accident resulting in damage to property other than a motor vehicle;
5. The uninsured owner or operator has been involved in an accident resulting in the filing of a claim by a qualified individual against the Unsatisfied Claim and Judgment Fund for payment of personal injury protection benefits pursuant to N.J.S.A. 39:6-86.1 or 39:6-86.4; or
6. The Director of the Division of Motor Vehicles determines a deposit of security to be necessary in view of the total insurance protection available to an injured party.

R.1976 d.75, effective March 8, 1976.

See: 8 N.J.R. 82(b), 8 N.J.R. 204(a).

Amended by R.2000 d.174, effective May 1, 2000.

See: 32 N.J.R. 256(a), 32 N.J.R. 1517(a).

In (a), rewrote the introductory paragraph, and neutralized a gender reference in 1.

13:18-11.1 Division of Motor Vehicles organizational structure

(a) The Division of Motor Vehicles consists of a Director of Motor Vehicles and such offices and other organizational units as allowed by law and as necessary to carry out the Division's statutory mandates.

(b) The Director has a deputy. The following subunits exist under the deputy:

1. Internal Audit Office;
2. Regulatory Affairs Office; and
3. Special Projects Office.

(c) The Division has a Chief of Staff who has the powers and responsibilities set forth in N.J.S.A. 39:2-4 and 39:2-5. The following subunits exist under the Chief of Staff:

1. Office of Special Assistance and Customer Complaints;
2. Planning Office;
3. Legal/Legislative Office;
4. Public Affairs Office; and
5. Human Resource and Organizational Development Office.

(d) The Division has three Administrators, as follows:

1. Customer Services;
2. Information and Systems Management; and
3. Administrative Services.

(e) The following subunits exist under the Administrator for Customer Services:

1. Northern Regional Services Offices;
2. Central Regional Services Offices;
3. Southern Regional Services Offices; and
4. Operations and Support Services Bureau.

(f) The following subunits exist under the Administrator for Information and Systems Management:

1. Information Update and Retrieval Bureau; and
2. Systems Management Bureau.

(g) The following subunits exist under the Administrator for Administrative Services:

1. Central Services Bureau;
2. Facilities Management Bureau;
3. Financial Management Bureau; and
4. Personnel Administration Bureau.

R.1989 d.365, effective June 14, 1989.
See: 21 N.J.R. 2048(a).

13:18-11.2 Public information requests and submissions

(a) A member of the public may obtain information or make a submission or a request by writing to the Office of the Director, Division of Motor Vehicles, 225 E. State Street, 9th Floor, Trenton, New Jersey 08666.

(b) A member of the public seeking general information may telephone the Division of Motor Vehicles by calling 1-609-292-6500.

R.1989 d.365, effective June 14, 1989.
See: 21 N.J.R. 2048(a).
Amended by R.1995 d.218, effective May 1, 1995.
See: 27 N.J.R. 637(a), 27 N.J.R. 1806(b).

13:18-11.3 Public records; examination; purchase of copies; exemption

(a) Except as otherwise provided in N.J.S.A. 47:1A-1 et seq. or by any other statute, resolution of either or both houses of the Legislature, executive order of the Governor, rule of court, any Federal law, regulation or order, or by any regulation promulgated under the authority of any statute or executive order of the Governor, all records which are required by law to be made, maintained, or kept on file by the Division of Motor Vehicles shall be considered public records. Public records shall be available for examination by the citizens of New Jersey during the regular business hours of the Division at the Trenton Regional Service Center, 120 South Stockton Street, Trenton, New Jersey or other office of the Division as determined by the Custodian of Records. Citizens of New Jersey shall have the right to copy public records by hand under reasonable supervision during regular business hours. Citizens shall have the right to purchase copies of public records by written request upon payment of the fee as set forth in N.J.A.C. 13:18-11.4.

(b) The right of examination of public records pursuant to N.J.S.A. 47:1A-3 may be denied in cases where the records being sought for examination pertain to any investigation in progress, if the inspection, copying, or publication of the records is not in the best interest of the public.

(c) The Division's database and the information contained in it do not constitute public records. In no event shall data or information contained in the database be provided to any person or entity which seeks to use such information for the purpose of commercial solicitation for profit or political canvassing or campaigning or any similar purpose or objective.

(d) In the interest of public safety and privacy, the public records listed below shall only be made available for inspection, examination, and copying by a citizen who demonstrates to the satisfaction of the Director of the Division of Motor Vehicles that he or she is the person to whom the record pertains or that he or she has a legitimate beneficial interest in the requested record for the protection of his or her property rights or the protection of any interest the citizen may have in any matter affecting the citizen to which said record is relevant. Availability may be limited to that part of the record which is particularly relevant to the citizen, and personal information may be deleted from the copy of such record. Such records include all those which are made, maintained or kept on file by the Division of Motor Vehicles relating to:

1. Driver licenses;
2. Vehicle registrations;
3. Vehicle titles; and
4. Driver histories.

(e) Citizens requesting the inspection, examination or copying of records of the Division shall be required to present identification, and to complete a formal request form prepared by the Division of Motor Vehicles, which shall include:

1. The requestor's name and address;
2. The requestor's driver license number or corporate identification number;
3. The requestor's reason for requesting the record;
4. The driver license number or the name, address, and birth date of the person whose driver record is requested;
5. The license plate number or VIN number of the vehicle for which a record is requested; and
6. A description of the information the requestor is seeking in order to ensure that a copy of the appropriate record is provided.

(f) Nothing in this section shall be construed as prohibiting the provision of an abstract of the operating record of any person by the Division of Motor Vehicles to insurance companies, persons furnishing any financial responsibility, and sureties on bonds in accordance with the provisions of N.J.S.A. 39:6-42.

(g) Nothing in this section shall be construed as prohibiting the provision of certificates of ownership by the Division of Motor Vehicles in accordance with the provisions of N.J.S.A. 39:10-14.

New Rule, R.1991 d.575, effective November 18, 1991.
See: 23 N.J.R. 2857(a), 23 N.J.R. 3520(a).
Amended by R.1997 d.13, effective January 6, 1997.
See: 28 N.J.R. 4566(a), 29 N.J.R. 147(a).
Added (c) through (g).
Amended by R.2000 d.174, effective May 1, 2000.

See: 32 N.J.R. 256(a), 32 N.J.R. 1517(a).

Case Notes

Computerized database of the DMV is not a public record itself, but its contents are contained within the public records maintained by the DMV. *State v. Donis*, 157 N.J. 44, 723 A.2d. 35 (N.J.1998).

13:18-11.4 Fees; information search; exemption

(a) A citizen requesting to purchase a public record shall pay the fee established by the Division as set forth in this section.

(b) The fees are as follows:

1. A Driver History Abstract:

- i. Uncertified, \$10.00.
- ii. Certified, \$10.00.

2. A Notice of Scheduled Suspension, Order of Suspension or Notice of Restoration:

- i. Uncertified, \$4.00.
- ii. Certified, \$5.00.

3. Violation Record:

- i. Uncertified, \$4.00.
- ii. Certified, \$5.00.

4. Mail Lists:

- i. Uncertified, \$4.00.
- ii. Certified, \$5.00.

5. Registration or Driver License Application:

- i. Uncertified, \$8.00.
- ii. Certified, \$10.00.

6. Boat Registration Application:

- i. Uncertified, \$8.00.
- ii. Certified, \$10.00.

7. Final Decision of Director:

- i. Uncertified, \$4.00.
- ii. Certified, \$5.00.

8. File Search of Division Records:

- i. Uncertified, \$8.00.
- ii. Certified, \$10.00.

9. Telephonic Search of Division Records: \$6.00.

(c) Payment shall be made by check or money order payable to the New Jersey Division of Motor Vehicles.

(d) Government agencies are exempt from the fees set forth in this section.

(e) Notwithstanding the fees set forth in this section, the Director shall collect a fee of \$2.00 per driver history abstract from high volume tape to tape users.

(f) Notwithstanding the fees set forth in this section, the Director shall collect from high volume on-line information users a fee of \$4.00 for each driver history abstract, drivers license record, or vehicle registration record requested on-line.

(g) "High volume users," as used in this section, shall be defined as those businesses approved by the Director of the Division of Motor Vehicles for participation in its Tape to Tape Exchange program or its Limited On-Line Access program. The Director's approval shall be based on a business demonstrating its beneficial interest in and legitimate business use of the Division's database information, as well as on the volume of requests for such information.

1. Political and commercial solicitation and marketing shall not constitute legitimate business uses of the database information.

2. The volume of requests constituting "high volume" shall be a minimum of 250 requests per tape for the Tape to Tape Exchange program and 100 requests per calendar quarter for the Limited On-Line Access program.

New Rule, R.1991 d.575, effective November 18, 1991.

See: 23 N.J.R. 2857(a), 23 N.J.R. 3520(a).

Amended by R.1995 d.365, effective July 3, 1995.

See: 27 N.J.R. 1521(b), 27 N.J.R. 2592(b).

Amended by R.1996 d.410, effective September 3, 1996.

See: 28 N.J.R. 2795(b), 28 N.J.R. 4110(a).

Added \$4 fee for high volume on-line information users.

Amended by R.1997 d.13, effective January 6, 1997.

See: 28 N.J.R. 4566(a), 29 N.J.R. 147(a).

Added (g).

13:18-11.5 Procedure for record examination or request to purchase public records

A private citizen may request a copy of a public record, or make inquiry concerning the examination of a public record, by contacting:

Official Custodian of Records

New Jersey Division of Motor Vehicles

225 East State Street

Trenton, New Jersey 08666

Attn: Manager, Bureau of Information Update and Retrieval

Telephone: (609) 292-4572

New Rule, R.1991 d.575, effective November 18, 1991.

See: 23 N.J.R. 2857(a), 23 N.J.R. 3520(a).

Amended by R.2000 d.174, effective May 1, 2000.

See: 32 N.J.R. 256(a), 32 N.J.R. 1517(a).

Changed address.