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CHAPTER 77

An Act concerning driver's licenses and identification cards and temporary service measures for certain New Jersey Motor Vehicle Commission customers in response to the COVID-19 public health emergency and state of emergency, and amending P.L.1979, c.261 and P.L.1980, c.47.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1979, c.261 (C.39:3-10f) is amended to read as follows:

C.39:3-10f Licenses, initial, renewal, photograph; fees.

1. In addition to the requirements for the form and content of a motor vehicle driver's license under R.S.39:3-10 and a probationary license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), on and after the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.), each initial New Jersey license, each renewal of a New Jersey driver's license, and each probationary license shall have a digitized photograph of the licensee. All licenses issued on and after January 1, 2000 shall be valid for a period of 48 calendar months. However, the chief administrator may, at the chief administrator's discretion, issue licenses and endorsements that shall expire on a date fixed by the chief administrator. The fee for those licenses or endorsements shall be fixed in amounts proportionately less or greater than the fee otherwise established. Notwithstanding the provisions of this section to the contrary, a person 70 years of age or older may elect to have a license issued for a period of two or four years, which election shall not be altered by the chief administrator. The fee for the two-year standard license shall be $9, in addition to the fee for a digitized photograph established in section 4 of P.L.2001, c.391 (C.39:3-10f4). The fee for a two-year REAL ID license shall be $14.50, in addition to the fee for a digitized photograph established in section 4 of P.L.2001, c.391 (C.39:3-10f4). The chief administrator may, for good cause, extend a license and any endorsement thereon beyond their expiration dates for periods not to exceed 12 additional months. The chief administrator may extend the expiration date of a license and any endorsement thereon without payment of a proportionate fee when the chief administrator determines that the extension is necessary for good cause. If any license and endorsements thereon are so extended, the licensee shall pay upon renewal the full license fee for the period fixed by the chief administrator as if no extension had been granted.

Each initial driver's license issued to a person under the age of 21 after the effective date of P.L.1999, c.28 (C.39:3-10f1 et al.) shall be conspicuously distinct, through the use of color and design, from the driver's licenses issued to persons 21 years of age or older. The chief administrator, in consultation with the Superintendent of State Police, shall determine the color and the manner in which the license is designed to achieve this result. The license shall bear the words "UNDER 21" in a conspicuous manner. The chief administrator shall provide that, upon attaining the age of 21, a licensee shall be issued a replacement driver's license or a new license, as appropriate. The fee for a replacement license shall be $5 in addition to the digitized photograph fee.

As a condition for the renewal of a driver's license, the chief administrator shall provide that the photograph of a licensee be updated, except that the chief administrator may elect to use a stored photograph for two consecutive four-year renewal periods for $18 for a standard license per renewal and $29 for a REAL ID license per renewal, in addition to the digitized photograph fee. The chief administrator shall not use a stored photograph for more than 12 years except as otherwise provided in this section.

The holder of a standard basic driver's license who is 65 years of age or older shall not be required to update the person's driver's license photograph upon renewal and shall be eligible to use a stored photograph for each standard driver's license renewal.

In addition to any other extension, the chief administrator shall allow a person to use a stored photograph to renew a license for a period not exceeding one year if the person presents documentation by a licensed physician that the person is undergoing medical treatment for an illness and the treatment results in temporary changes to the person's physical characteristics. The fee for this extension shall be $18 for a standard license and $29 for a REAL ID license and the person shall not be required to pay the digitized photograph fee pursuant to section 4 of P.L.2001, c.391 (C.39:3-10f4).

Whenever a person has reconstructive or cosmetic surgery which significantly alters the person's facial features, the person shall notify the chief administrator who may require the photograph of the licensee to be updated for $5 in addition to the digitized photograph

fee.

Nothing in this section shall be construed to alter or change any expiration date on any New Jersey driver's license issued prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and, unless a licensee's driving privileges are otherwise suspended or revoked, except as provided in R.S.39:3-10, that license shall remain valid until that expiration date.

Specific use of the driver's license and any information stored or encoded, electronically or otherwise, in relation thereto shall be in accordance with P.L.1997, c.188 (C.39:2-3.3 et seq.) and the federal "Driver's Privacy Protection Act of 1994," Pub.L.103-322. Notwithstanding the provisions of any other law to the contrary, the digitized photograph or any access thereto or any use thereof shall not be sold, leased, or exchanged for value.

2. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read as follows:

C.39:3-29.5 Expiration of card, renewal.

4. a. Except as provided in subsection b. of this section, each original identification card authorized by section 2 of P.L.1980, c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise provided, expire during the fourth calendar year following its date of issuance and on the same calendar day as the person's date of birth. If the date of birth of the bearer of the identification card does not correspond to a calendar day of the fourth calendar year, the identification card shall expire on the last day of the birth month of the bearer of the card.

The identification card shall be renewable upon the request of the bearer of the card, pursuant to terms of license renewal established by the New Jersey Motor Vehicle Commission, and upon payment of a fee as required by section 6 of P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind or who has a disability shall be valid for the life of the holder unless canceled by the holder. Cards issued prior to October 16, 1989 and valid upon the effective date of P.L.1990, c.30 shall be valid for the life of the holder unless canceled by the holder. Cards issued to persons with blindness or disabilities between October 16, 1989 and the effective date of P.L.1990, c.30, and which are valid on the effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life of the holder unless canceled by the holder, upon presentation of proof that the person's blindness or disability existed at the time of the original application. The chief administrator is authorized to require periodic verification of information included on any identification card issued for or valid for the life of the holder. Nothing in this section shall be construed to alter or change any expiration date on any New Jersey identification card issued prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any such identification card shall remain valid until its expiration date.

As a condition for the renewal of an identification card, the chief administrator shall provide that the photograph of a holder of an identification card be updated, except that the chief administrator may elect to use a stored photograph for two consecutive four-year renewal periods. The chief administrator shall not use a stored photograph for more than 12 years except as otherwise provided in this section. The fee shall be $18 for a standard identification card per renewal and $29 for a REAL ID identification card per renewal, in addition to the digitized photograph fee.

The holder of a standard identification card who is 65 years of age or older shall not be required to update the person's identification card photograph upon renewal and shall be eligible to use a stored photograph for each standard identification card renewal.

b. If the chief administrator issues a REAL ID identification card to a person who has demonstrated authorization to be present in the United States for a period of time shorter than the standard periods of identification cards, the chief administrator shall fix the expiration date of the REAL ID identification card at a date based on the period in which the person is authorized to be present in the United States under federal immigration laws. The chief administrator may renew such REAL ID identification card only if it is demonstrated that the person's continued presence in the United States is authorized under federal law.

3. During the public health emergency and state of emergency declared on March 9, 2020 by the Governor, pursuant to Executive Order No. 103 and extended, where applicable, by subsequent executive orders, the Chief Administrator of the New Jersey Motor Vehicle Commission shall reserve one day per week or a certain time each day or each week, to be determined by the chief administrator, at certain commission agency locations, to be determined by the chief administrator, to offer appointments exclusively to the following individuals to register a newly purchased, newly acquired, or transferred motor vehicle:

(1) any person who is 65 years of age or older; and

(2) any customers who, due to a medical condition diagnosed by a licensed medical doctor or licensed osteopathic physician and evidenced by proof, in a form prescribed by the chief administrator, cannot, as a result of the medical condition, wear a mask or face covering.

4. This act shall take effect immediately and section 3 of this act shall expire at the end of the public health emergency caused by the Coronavirus disease 2019 (COVID-19), either: upon the expiration of Executive Order No. 103 of 2020 and any subsequent executive orders extending the public health emergency; or, in the absence of a rescission by the Governor, upon the termination in any other manner of the declared public health emergency.

Approved September 10, 2020.

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