

(b) Only one Purple Heart recipient placard and ID card may be issued to a recipient of the Purple Heart, regardless of the number of Purple Heart medals that recipient received.

(c) If any person is eligible for both a disabled veteran placard and a Purple Heart recipient placard, along with the associated ID cards, that person must select which of the two available placards and ID cards he or she will request, as that person may only be issued either one disabled veteran placard and ID card or one Purple Heart recipient placard and ID card.

13:20-9.11 Placards for passenger vehicles or motorcycles

Placards for disabled veterans and Purple Heart recipients shall be issued for use on passenger vehicles or motorcycles only and in no event shall such placards be issued for or used on any vehicle that is used for commercial purposes.

13:20-9.12 Display of placards and ID cards

(a) A disabled veteran or Purple Heart recipient placard shall be displayed in such a manner that it may be viewed from the front and rear of the vehicle by hanging it from the front windshield rearview mirror of a vehicle utilizing a municipal parking meter space. When there is no rearview mirror, the placard shall be displayed on the dashboard of the vehicle.

(b) A disabled veteran or Purple Heart recipient placard does not entitle the placard holder to park in a designated persons with disabilities parking space. In order to park in such a spot, the placard holder must be independently entitled to such parking by virtue of a qualifying disability and possession of an ID card and either a persons with a disability placard or persons with disability license plates that demonstrate such entitlement. If parked in a designated persons with disabilities parking space, the placard holder must carry on their person a disability ID card and the vehicle must display either the persons with a disability placard or the qualifying disability license plates.

(c) Whenever a vehicle uses a disabled veteran or Purple Heart recipient plate or placard as justification for parking at a municipal meter free of charge in one location for up to 24 hours, the person for, or to whom, the plate or placard was issued and is being displayed, shall be present as either the driver of, or a passenger in, the vehicle, and shall carry his or her disabled veteran or Purple Heart recipient ID card and upon request from a law enforcement officer, shall present such card.

(a)

MOTOR VEHICLE COMMISSION

Licensing Service

License and Registration Renewals and Restorations

Proposed Amendments: N.J.A.C. 13:21-9.5 through 9.12, 9.14, and 9.15

Authorized By: Raymond P. Martinez, Chairman, Motor Vehicle Commission.

Authority: N.J.S.A. 39:2-3, 39:2-3.3, 39:2-3.4, 39:2-3.8, 39:2A-28, 39:3-4, and 39:3-31.

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

Proposal Number: PRN 2017-043.

Submit written comments by June 2, 2017, to:

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The agency proposal follows:

Summary

The public comment period for this notice of proposal will be 60 days, as the notice 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).

The Motor Vehicle Commission (Commission) proposes the following amendments to N.J.A.C. 13:21-9.5 through 9.12, 9.14, and 9.15, creating a new option for online internet-based electronic registration duplicate requests, removing references to outdated technology, specifically, telephone-based transactions and interactive voice response (IVR), and creating interim driver licenses and non-driver identification cards for use in the event of expanded central issuance, by the Commission, of driver licenses and non-driver identification cards. Currently, registrations can be renewed online, by mail, or in person at any agency. Duplicate registrations, however, can only be obtained in person at an agency. The proposed amendments will expand duplicate registration options available to New Jersey residents to allow for obtaining registration duplicates online, which is expected to aid in the reduction of in-agency transactions and proportionally reduce foot traffic in the agency offices. New Jersey law, N.J.S.A. 39:2-3.8, expressly authorizes the Director of the Division of Motor Vehicles in the Department of Transportation, which was replaced by the Commission pursuant to the Motor Vehicle Security and Customer Service Act, N.J.S.A. 39:2A-1 et seq., and to which the Division transferred all of its functions, powers, and duties pursuant to N.J.S.A. 39:2A-4, to permit the submission to the Commission of documents and information in electronic and digital form and to permit transactions between the Commission and its customers to be submitted through the Internet. The law expressly authorizes the Chief Administrator to permit such electronic or digital submissions, notwithstanding any statutory, regulatory, or other requirement that such applications be signed, certified, verified, or witnessed, or which otherwise explicitly or implicitly requires the preparation or submission of such documents on paper or in written form. While N.J.S.A. 39:2-3.8 expressly provides that the Chief Administrator cannot mandate the use of either a digital or electronic submission by individuals, the Commission wishes to provide its customers with this new option of obtaining duplicate registrations.

The proposed amendments are intended to facilitate implementation of a new online option for obtaining duplicate registrations, and to create interim driver licenses and non-driver identification cards in the event the Commission expands central issuance of licenses and identification cards in the State. Central issuance is a process whereby driver licenses, non-driver identification cards, and/or driver permits can be physically produced and issued to applicants from a central location either within or outside New Jersey. Where centralized issuance systems are utilized, applicants are ordinarily provided with interim or temporary documents until the permanent driver license or non-driver identification card is received by them through U.S. mail.

N.J.A.C. 13:21-9.5 is proposed for amendment to add definitions pertinent to the amended rules, specifically "central issuance," "interim driver license," "interim non-driver identification card," and "registration;" to delete the definition of "IVR" as outdated technology no longer offered by the Commission; and to revise several other definitions including "applicant" to facilitate the offering of duplicate registrations online.

N.J.A.C. 13:21-9.6 is proposed for amendment to permit registration duplicates to be accomplished electronically online through the Internet, and also specifies certain registrations as ineligible for electronic duplicates. In addition, the reference to outdated technology, no longer used by the Commission, is proposed to be removed from this section.

N.J.A.C. 13:21-9.7 is proposed for amendment to require applicants who choose to obtain registration duplicates electronically online through the Internet to supply all information requested by the Commission and advises such applicants that their signatures shall be deemed affixed to all information provided electronically. These applicants will also be subject to punishment for knowingly making a false entry in the record, or otherwise supplying false or misleading information, pursuant to N.J.S.A. 2C:28-7 and/or 39:3-37. The proposed amendments also set forth certain information required to be provided in connection with the electronic transaction applications.

N.J.A.C. 13:21-9.8, 9.9, and 9.10 are proposed to stipulate that an applicant for a duplicate registration will be required to provide the applicant's current vehicle insurance carrier and full policy number, the applicant's current mailing address, and the applicant's Social Security number as part of the duplicate registration process, which requirements are identical to the existing requirements for registration renewals.

N.J.A.C. 13:21-9.8 is proposed for amendment to provide that an applicant who chooses to obtain a duplicate registration electronically online through the Internet shall verify or provide the name of the applicant's current vehicle insurance carrier and the full policy number of the vehicle insurance policy, where applicable, as part of the transaction.

N.J.A.C. 13:21-9.9 is proposed for amendment to delete subsection (a), which relates to telephonic renewals, and to provide that an applicant using the Internet to obtain a duplicate registration must provide the applicant's current street address as part of the duplicate process.

N.J.A.C. 13:21-9.10 is proposed for amendment to provide that an applicant who chooses to obtain a duplicate registration through the Internet must electronically enter his or her full Social Security number. Disclosure of the applicant's Social Security number is required by N.J.A.C. 13:21-1.3.

N.J.A.C. 13:21-9.11 is proposed for amendment to provide that an applicant who chooses to obtain a duplicate registration through the Internet who cannot or will not fully supply or who will not acknowledge or certify, when required, the accuracy of any information supplied, shall not be able to obtain the duplicate through the Internet.

N.J.A.C. 13:21-9.12 is proposed for amendment to reflect a new interim registration document that applicants can print upon completion of the online transaction, and which will contain complete registration information and be valid for operation purposes for 14 days from the date of the online transaction. This section also provides for the issuance of interim driver licenses and interim non-driver identification cards, if the Commission elects to expand central issuance of driver licenses and non-driver identification cards.

N.J.A.C. 13:21-9.14 is proposed for amendment to permit the Commission, with the consent of the applicant, to survey the applicant's opinion of the electronic duplicate registration Internet transaction.

N.J.A.C. 13:21-9.15, addressing protection of personal information, is proposed for amendment to include duplicate registrations and interim driver licenses and non-driver identification cards.

Social Impact

The proposed amendments are beneficial to the public in that they facilitate obtaining duplicate registrations through the Internet. Those members of the public who are eligible and wish to avail themselves of the convenience of obtaining duplicate registrations electronically will be able to do so and, therefore, avoid a trip to a motor vehicle agency. It is expected that the implementation of electronic registration duplicates, in addition to the registration renewals already available online, will decrease the foot traffic in the various agency locations throughout the State, thereby also proportionately reducing the wait times experienced by customers at those agency locations. It is also anticipated that any associated costs to the Commission will be offset by the convenience offered to the public.

The proposed amendments are also beneficial to the public, insofar as they provide for interim driver licenses and non-driver identification cards, if the Commission elects to expand central issuance, and this allows applicants to be in possession of credentials in the interim period between application for and receipt of permanent driver licenses and non-driver identification cards.

Economic Impact

The Commission will incur minimal to moderate costs relative to the Commission's operating costs, in establishing and maintaining a system to accommodate electronic registration duplicates. It is anticipated that such costs will be offset by a reduction in the number of written applications that will need to be manually processed as a result of the availability of electronic registration duplicates.

The Commission will also incur costs associated with duplicate registrations in the form of payment of fees to the New Jersey

Information Division of NICUSA, Inc. (NICUSA-NJ). NICUSA-NJ is New Jersey's electronic government partner that processes payments by customers through a secure payment gateway, including payments to the Commission for online transactions. NICUSA-NJ charges approximately \$.50 per duplicate registration ordered, and payment of those charges will fall to the Commission since the Commission will no longer be passing that cost through to the consumer in the form of a convenience fee. The Commission estimates that 150,000 customers, annually, may request duplicate registrations online and that number would translate to payment by the Commission to NICUSA-NJ for those duplicate registration transactions in the amount of \$75,000. Persons who wish to obtain duplicates of their registration must pay the applicable statutory fee regardless of whether the duplicate transaction is accomplished by written application or electronically through the internet.

Federal Standards Statement

A Federal standards analysis is not required because the subject matter of the proposed amendments is authorized under State law and is not subject to Federal requirements or standards.

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 Commission does not anticipate that these proposed amendments will have any agriculture industry impact in this State.

Regulatory Flexibility Statement

The proposed amendments do 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 only pertain to individuals, not small businesses. Therefore, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis

The proposed amendments will not have any impact on the affordability of housing in New Jersey, and the proposed amendments will not evoke a change in the average costs associated with housing because the proposed amendments pertain solely to electronic registration duplicates and interim driver licenses and non-driver identification cards.

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 electronic registration duplicates and interim driver licenses and non-driver identification cards.

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

SUBCHAPTER 9. LICENSE AND REGISTRATION RENEWALS, **DUPLICATES, INTERIM DRIVER LICENSES AND NON-DRIVER IDENTIFICATION CARDS, AND RESTORATIONS**

13:21-9.5 Definitions

As used in N.J.A.C. 13:21-9.5 through 9.16, the following words and terms shall have the following meanings:

"Applicant" means an individual who chooses to renew **or obtain a duplicate of** a vehicle registration [by telephone or] **online** through the Internet.

"**Central issuance**" means the process whereby driver licenses, non-driver identification cards, and/or driver permits are physically produced and issued to applicants from a central location either **within or outside New Jersey**.

... ["IVR" means an interactive voice response system.]

"**Interim driver license**" means an interim or temporary document issued by the Commission, which allows the holder to

operate a non-commercial vehicle until the holder receives his or her permanent driver license by mail or until the card expires, and unless the holder's driving privileges are suspended, cancelled, or revoked. An interim driver license shall not be valid for more than 30 days.

"Interim non-driver identification card" means an interim or temporary document issued by the Commission, which the holder may use for identification purposes until the holder receives his or her permanent non-driver identification card by mail or until the card expires and unless the holder's right to an identification card is suspended, cancelled, or revoked. An interim non-driver identification card shall not be valid for more than 30 days.

"Personal information" means information that identifies an individual, including an individual's photograph; [social security] Social Security number; driver identification number; name; address other than the five-digit zip code; telephone number; and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

"Registration" means a vehicle registration certificate.

"Transaction" means an authorized and completed electronic or digital exchange conducted between an individual and the Commission[, either through a touch-tone telephone connected to an IVR or] by use of a point-and-click menu through a web browser online over the Internet, for purposes of renewing or obtaining a duplicate of the registration of a vehicle.

"Vehicle" means private passenger automobiles, motorcycles, private utility trailers, house-type semi-trailers, house-type trailers, and non-commercial vessels.

13:21-9.6 Application for renewal or duplicate of vehicle registration in electronic or digital form; **eligibility**

(a) An application for renewal of a vehicle registration or duplicate of a vehicle registration may be submitted to, and processed by, the Commission in electronic or digital form [using a touch-tone telephone connecting to an IVR system, or] through the use of a point-and-click menu through a web browser over the Internet, but only in the manner specifically provided for in N.J.A.C. 13:21-9.5 through 9.16, and authorized by N.J.S.A. 39:2-3.8.

(b) Application for registration renewal or a registration duplicate must be made in the manner and form provided by the Commission and accompanied by the applicable fee.

(c) A registration holder is only eligible to obtain a duplicate of their registration by online, electronic, and/or digital means if:

1. The original registration certificate was destroyed, lost, or stolen, and in conjunction therewith, the holder provides a certification in his or her application stating that his or her original was destroyed, lost, or stolen; or

2. The holder of an original registration certificate requires a duplicate registration certificate for use by members of his or her family, and in conjunction therewith, the holder presents a statement to the Commission to the effect that he or she requires a duplicate registration certificate for use by members of his or her family.

(d) The following registrations are eligible for online, electronic, and/or digital registration duplicates:

1. Passenger vehicle registrations;
2. Boat registrations;
3. Motorcycle registrations; and
4. Trailers under 55,000 pounds.

(e) The following registrations are ineligible for online, electronic, and/or digital duplicate registrations:

1. Leased vehicles;
2. Cancelled registrations;
3. Surrendered registrations;
4. Expired registrations;
5. Suspended registrations;
6. Registrations where license plates are marked as lost or stolen;
7. Commercial registrations; and
8. No-fee plate registrations.

(f) The Commission may reject any application for the renewal or a duplicate of a registration, and may require a personal appearance at an agency, if the Commission has information that the registration holder has misrepresented eligibility for registration in any manner.

13:21-9.7 Content of application; signature; false entry

(a) An applicant shall supply all information requested by the Commission during the electronic renewal and duplicate process. As authorized by N.J.S.A. 39:2-3.8, the signature of an applicant shall be deemed affixed to all information submitted electronically. In addition, upon application for a duplicate registration, the applicant must certify that the original document they are seeking to replace has been destroyed, lost, or stolen, or alternately that the holder requires a duplicate registration certificate for use by members of his or her family.

(b) (No change.)

(c) An applicant is subject to punishment, in accordance with N.J.S.A. 2C:28-7 and/or 39:3-37, for knowingly making a false entry in the record, or otherwise supplying false or misleading information.

(d) The electronic or digital application for a duplicate registration shall require online authentication and shall also include, at a minimum, the following:

1. A certification that the original duplicate vehicle registration has been destroyed, lost, or stolen, or a statement to the Commission that the registration holder requires a duplicate registration certificate for use by members of his or her family; and

2. The applicant's certification that the statements made in the application are correct.

13:21-9.8 Identification of insurance carrier and policy number

An applicant shall verify or provide the name of the applicant's current vehicle insurance carrier and the full policy number of the vehicle insurance policy as part of the registration renewal or duplicate process.

13:21-9.9 Verification of current mailing address

[(a) An applicant who chooses to renew a vehicle registration by telephone shall electronically verify the current mailing address as printed on the registration renewal form received in the mail from the Commission. An applicant whose current mailing address is not identical to the address printed on the registration renewal form received in the mail from the Commission shall not be able to renew his or her vehicle registration by telephone.]

[(b)] An applicant who chooses to renew a vehicle registration or obtain a duplicate registration electronically through the Internet shall verify or provide the applicant's address as part of the registration renewal process.

13:21-9.10 Submission of [social security] Social Security number

An applicant shall enter the applicant's full [social security] Social Security number as part of the registration renewal or duplicate process. Disclosure of the applicant's [social security] Social Security number is mandatory under N.J.A.C. 13:21-1.3, and may be used only for the purposes contained in N.J.A.C. 13:21-1.4.

13:21-9.11 Inability or refusal to provide all information requested

An applicant who cannot or will not fully provide required information or an applicant who will not acknowledge or certify, when required, the accuracy of information provided, shall not be able to renew or obtain duplicates of his or her vehicle registration [by telephone or] through the Internet.

13:21-9.12 Automatic extension of prior registration for timely renewal by mail[, telephone] or through the Internet; **interim duplicate registration; and interim driver license and non-driver identification card**

(a) An applicant who has accurately and timely completed a registration renewal process [by telephone or] through the Internet, but who does not receive a renewed registration document from the Commission before the date on which the applicant's prior registration document expires, shall be automatically granted an extension of the

prior registration document by the Chief Administrator, in accordance with the provisions of N.J.S.A. 39:3-4 and 39:2-3. The automatic extension of the prior registration document shall terminate upon receipt by the applicant of the renewed registration document or the passage of three weeks from the original expiration date, whichever is earlier, unless the Chief Administrator expressly determines otherwise.

(b) (No change.)

(c) **Upon successful completion of an online duplicate registration transaction, an interim duplicate registration will be made available to the applicant, which may be printed by the applicant. The interim registration is valid for 14 days from the date of the online electronic transaction and shall contain, at a minimum, an expiration date, along with the applicable vehicle information.**

(d) **If the Commission determines that central issuance of driver licenses and non-driver identification cards shall be expanded in the State of New Jersey, an interim driver license or interim non-driver identification card may be issued by the Commission at such time that an applicant has met all the requirements for the issuance of a driver license or a non-driver identification card in accordance with N.J.S.A. 39:3-10 et seq., and 39:3-29.2 et seq., and N.J.A.C. 13:21-8. The interim driver license shall permit the applicant, while the interim driver license is in his or her possession, to drive a motor vehicle. The interim driver license shall indicate the class of license granted and any endorsements granted. No interim driver license shall be issued for a commercial driver license or a commercial license permit. The Commission may issue an interim driver license or interim non-driver identification card, which shall be valid for a period of time not to exceed 30 days. The interim driver license or interim non-driver identification card shall become invalid when:**

1. The replacement driver license or non-driver identification card is received in the mail;

2. Driving privileges or rights to a non-driver identification card are suspended, cancelled, or revoked; or

3. The interim driver license or interim non-driver identification card expires, if not already invalidated pursuant to (d)1 and 2 above.

13:21-9.14 Applicant survey

The Commission may, either directly or through a consultant or a contractor, survey applicants to ascertain from them their opinions, observations, or recommendations regarding the process of renewing **or duplicating** registrations [by telephone or] through the Internet. Although these surveys will be conducted in conjunction with actual transactions, an applicant need not participate in the survey in order to conduct the transaction. Participation in such a survey will be solely at the option of an applicant, and survey results shall contain no personal information, unless expressly authorized by the applicant.

13:21-9.15 Non-waiver of privacy protections

The protections from unauthorized access to or disclosure of personal information specified in N.J.A.C. 13:21-9.5 through 9.16 are not intended to be construed so as to waive, qualify, limit, or otherwise restrict any other protections arising out of any law, rule, or regulation that are available to any individual renewing **or duplicating** a vehicle registration **or renewing or duplicating a driver license or non-driver identification card.**