

Certified adoption records from a country other than the United States	2
Driving privilege card with photo issued by another state or municipality, including the District of Columbia	1
...	
High school diploma or GED (general equivalency diploma), college diploma, or trade school degree, from any country	1
...	
[Current health] Health insurance card or [current] prescription card	1
[Current employee] Employee identification card accompanied by a printed pay stub from applicant's employment in the United States	1
...	
[Veteran's Administration universal access photo identification card	1]
3. An applicant may submit any of the following documents to establish proof of Social Security number:	
i. Social Security card (no copies or laminations);	
ii. W-2 form issued within the past year;	
iii. Pay stub (must include full name and full Social Security number) issued within the past year;	
iv. SSA-1099 form (issued within the past year); or	
v. Non-SSA-1099 form (issued within the past year).	
4. An applicant may submit either of the following documents as acceptable proof of an Individual Tax Identification Number:	
i. Official letter from the IRS verifying the applicant's ITIN;	
ii. ITIN card (no copies or laminations); or	
iii. New Jersey income tax refund displaying ITIN.	
(d) Each applicant must present for inspection [an] one acceptable proof of [address] principal residence document, which may be, but is not limited to, the following:	
1. (No change.)	
2. A property tax bill, statement, or receipt issued within [last] the past 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, including a New Jersey income tax refund displaying applicant's address ;	
4. (No change.)	
5. An original, unexpired lease or rental agreement with the name of the applicant listed as the lessee or renter;	
6. (No change.)	
7. A checking or savings account statement (bank or credit union) issued within the last 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[.]; or	
9. A deed or title to real property displaying applicant's name.	
(e)-(f) (No change.)	
[(g) 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 (f) above but for the fact that he or she is not the holder of a driver license from the country in which he or she resides shall be eligible to make application for a New Jersey driver license or permit. If a New Jersey driver license or permit is issued, the Commission shall fix the expiration date 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 Commission may renew the driver license or permit only if it is demonstrated that the person's continued presence in the United States is authorized under Federal law.]	
[(h)] (g) (No change in text.)	
[(i)] (h) The Commission shall take a photo of each applicant for a new or renewed [non-REAL ID-compliant] standard special learner permit with photo, examination permit with photo, driver license, commercial driver license, or non-driver identification card upon submission of the application, except that the Commission may use a stored photo once	

to renew a standard driver license for a period not exceeding four additional years.

[(j)] (i) Commission staff members are authorized to scan all applications presented or accepted toward satisfying document requirements. All scanned images will be retained electronically in accordance with N.J.S.A. 47:3-15 et seq., and N.J.A.C. 15:3-2.1 through 2.7 and 4.1 through 4.11. **Commission staff members may not retain copies, scanned images, or records of any kind of primary or secondary documents submitted to establish eligibility to obtain a standard document, except when necessary for purposes of investigating identity fraud, driver's license fraud, or non-driver identification card fraud pursuant to N.J.S.A. 39:2-3.4.a.**

SUBCHAPTER 16. IDENTIFICATION CARDS FOR NONDRIVERS

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.

... "Nondriver identification card" means an identification card issued by the Chief Administrator of the Motor Vehicle Commission to a person whose state of residence is New Jersey and who is [17] **14** years of age or older and who is not the holder of a valid examination or special learner's permit or a valid driver license, in accordance with N.J.S.A. 39:3-29.2 et seq.

"Standard" means, when used to describe an identification card issued by the Commission under the provisions of this subchapter, **that the issuance of the identification card is not acceptable for REAL ID purposes and is marked as such.**

13:21-16.2 Requirements for issuance of nondriver identification cards;

In addition to any other requirements imposed by Title 39 of the Revised Statutes and the [regulations] **rules** promulgated thereunder, no **standard** nondriver identification card shall be issued by the Commission, unless the applicant therefor submits, upon request, proof of identity [and], date of birth [and proof that the applicant's presence in the United States is authorized under Federal law], **and proof of New Jersey residency** in the manner set forth [in] at N.J.A.C. 13:21-8.2(a), (b), [and] (c), **and (d). No REAL ID nondriver identification card shall be issued by the Commission unless the applicant therefor submits, upon request, requirements including proof of identity, Social Security number, New Jersey residency with two proofs of address, and date of birth, as set forth at N.J.A.C. 13:21-8.2A.**

(a)

**MOTOR VEHICLE COMMISSION
License and Registration Renewals, Duplicates,
Interim Driver Licenses, Non-Driver Identification
Cards, and Restorations**

**Proposed Amendment: N.J.A.C. 13:21-9.5
Proposed New Rules: N.J.A.C. 13:21-9.19, 9.20, and
9.21**

Authorized By: B. Sue Fulton, Chair and Chief Administrator,
Motor Vehicle Commission.
Authority: N.J.S.A. 39:2A-21, 39:2A-13, 39:2A-28, and 39:2A-36.1.
Calendar Reference: See Summary below for explanation of
exception to calendar requirement.
Proposal Number: PRN 2020-073.

Submit written comments by September 18, 2020, to:
Kate Tasch, APO Legal and Regulatory Affairs
Motor Vehicle Commission
225 East State Street
PO Box 162
Trenton, New Jersey 08666-0162

or via email to rulecomments@mvc.nj.gov

The agency proposal follows:

Summary

The Motor Vehicle Commission (Commission) proposes the following amendments and new rules at N.J.A.C. 13:21-9, to utilize the practice of central issuance of licenses, non-driver identification cards, and permits, and also providing for the use of interim documents, or in emergent cases, issuance of these documents at specified agency locations. Central issuance is proposed for new credentials, duplicates, and renewals. Interim documents will be made available to applicants for use during the period between their application for licenses, non-driver identification cards, or permits, and their receipt thereof. The interim driver license and permit allow people to drive lawfully until their new credential with a photo is printed and mailed to them. The proposed new rules also provide for the immediate issuance, for a fee, of a license, non-driver identification card, or permit. Central issuance has been designed to create a more secure process by which licenses, non-driver identification cards, and permits can be issued from a central location and mailed to the applicant, rather than immediate production of the credentials at agencies. Under this plan, an applicant will be issued an interim document, which provides a temporary credential to be used for up to 30 days while the applicant awaits receipt of his or her license, non-driver identification card, or permit. The proposed process also allows time for an applicant to be cleared through the Commission's security and investigation team, which specifically includes a verification analysis of an applicant's photograph and driver history, and which flags an application where a mismatched photograph or other concern is found. If an application is flagged, an applicant will not receive a credential, unless and until his or her application is cleared. If there are no flags, the applicant's credential will be mailed to the applicant within the 30-day time frame. This process will also eliminate the need for inventory, such as laminate and cardstock to be stored, maintained, and secured at each agency, providing a more secure way to issue licenses and reducing the potential for fraud. This process will also decrease the significant wait time at motor vehicle agencies throughout the State by eliminating the immediate onsite production and issuance of all licenses and non-driver identification cards.

N.J.A.C. 13:21-9.5 is proposed for amendment to include a new definition for "central printing."

New N.J.A.C. 13:21-9.19 is proposed to clarify the Commission's use of central issuance of licenses, permits, and non-driver identification cards, including the interim documents to be issued to an applicant for use between the time of application and receipt of the document.

New N.J.A.C. 13:21-9.20 is proposed to clarify that licenses, permits, or non-driver identification cards can be issued at specified agency locations, rather than through central issuance, on an expedited basis, when there is an emergent need for identification.

New N.J.A.C. 13:21-9.21 is proposed to indicate that there shall be a fee for the expedited issuance of licenses, permits, or non-driver identification cards for emergent reasons at specified agency locations. The fee is consistent with the requirements at N.J.S.A. 39:2A-36.1, considering that fees have not been increased since 2009, the proposed fee is consistent with the actual costs to the State of New Jersey for administering the license, permit, and non-driver identification cards at an agency location, rather than through central issuance, and the annual percentage increase of the Consumer Price Index as defined at N.J.S.A. 39:2A-36.1.b(4).

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

Social Impact

The proposed amendments and new rules are beneficial to the public in that they allow for production and issuance of licenses, permits, and non-driver identification cards at a central location, thus allowing for more streamlined transactions at the agency counters and the opportunity for the Commission to service a greater number of customers in the same amount of time. Meanwhile, applicants for these documents will have interim documents, valid for 30 days, which may be used during the interim period between application for, and receipt of, the credential.

Central issuance is also beneficial to the public in so far as it creates a more secure process that allows time for an applicant to be cleared through the Commission's security and investigation team. The process specifically includes a verification analysis of an applicant's photograph and driver history, and flags an application where a mismatched photograph or other concern is found. If an application is flagged, an applicant will not receive a credential, unless and until his or her application is cleared. If there are no flags, the applicant's credential will be mailed to the applicant within the 30-day time frame. This process will also eliminate the need for inventory, such as laminate and cardstock to be stored, maintained, and secured at each agency, providing a more secure way to issue licenses and significantly reducing the potential for fraudulent licenses to be produced.

The industry standard is moving toward a central issuance model, and 75 percent of states have already adopted it in some form. The American Association of Motor Vehicle Administrators (AAMVA) recognized it as a best practice in 2014, and AAMVA's stakeholders, including law enforcement and driver license and non-driver identification card system manufacturers and service providers, as well as state credential-issuing authorities, consider the central issuance of their credential as best practice as well. AAMVA concluded that not only is the manufacturing environment more secure to control internal processing fraud, but the more robust machinery can incorporate security features into the card that are not achievable using the agency grade printers, making the card itself much more secure.

Economic Impact

The Commission will incur minimal to moderate costs relative to the Commission's transition to a central issuance system. It is anticipated that the costs of transition will be offset by a reduction in the number of immediate applications addressed in agencies, and a reduction in time dedicated to each transaction at an agency, freeing up time at agencies for members of the public to transact business at the agencies that cannot be addressed online.

Members of the public will only be subject to the increased fees when there are emergent circumstances that require the expedited issuance of a license, permit, or non-driver identification card at an agency rather than through central issuance, which cost is an administrative fee to offset the costs to the Commission of issuing the credential in the agency on an immediate basis.

Federal Standards Statement

A Federal standards analysis is not required because the subject matter of the proposed amendments and new rules 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 proposed amendments and new rules.

Agriculture Industry Impact

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

Regulatory Flexibility Statement

The proposed amendments and new rules 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 and new rules only pertain to individuals, not businesses. Therefore, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis

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

Smart Growth Development Impact Analysis

The proposed amendments and new rules 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 and new rules pertain to driver licenses and non-driver identification cards, interim credentials, and expedited transactions.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Commission has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

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 [9.18] **9.21**, the following words and terms shall have the following meanings:

...
“Central printing” means the process whereby licenses, non-driver identification cards, and/or permits are physically printed and produced from a central location either within or outside New Jersey.
 ...

13:21-9.19 Central printing and central issuance of licenses, non-driver identification cards and permits; interim licenses, non-driver identification card receipts, and interim permits

(a) The Commission may institute the practices of central printing and central issuance of driver licenses, commercial driver licenses, boat operator licenses, motorcycle licenses, non-driver identification cards, examination or special learner permits, or commercial learner permits, as determined by the Chief Administrator. An interim license, non-driver identification card receipt, or interim permit, may be issued by the Commission at such time that an applicant has met all the requirements for the issuance of a driver license, commercial driver license, boat operator license, motorcycle license, non-driver identification card, examination or special learner permit, or commercial learner permit in accordance with N.J.S.A. 39:3-10 et seq., 39:3-10.12 et seq., 39:3-13, and 39:3-29.2 et seq.; and N.J.A.C. 13:21-7, 8, and 23 and 13:82-8.20.

(b) The interim license and interim permit shall permit the applicant to drive while the interim document is in his or her possession and carried along with the most recent driver license issued by the Commission, unless the interim license or interim permit is marked INITIAL or DUPLICATE. The interim license and interim permit shall not be used for identification purposes. The interim license or interim permit shall indicate the class of license granted and any endorsements granted.

(c) The interim license, non-driver identification card receipt, or interim permit, shall be valid for up to 30 days, and shall become invalid when:

1. The driver license, commercial driver license, boat operator license, motorcycle license, non-driver identification card, examination or special learner permit, or commercial learner permit is received in the mail;
2. Operating privileges or rights to a non-driver identification card are suspended, cancelled, or revoked; or
3. The interim license, non-driver identification card receipt, or interim permit expires, if not already invalidated pursuant to (c)1 and 2 above.

13:21-9.20 Issuance of a driver license, commercial driver license, boat operator license, motorcycle license, non-driver identification card, examination or special learner

permit, or commercial learner permit on an emergent basis

A driver license, commercial driver license, boat operator license, motorcycle license, non-driver identification card, examination or special learner permit, or commercial learner permit, or the renewal of such listed credential, may be issued to an applicant on an emergent and expedited basis for which the applicant shall submit satisfactory proof of the emergent and immediate need for photo identification, at specified agency locations. An emergent and immediate need, to be determined at the discretion of the chief administrator includes, but is not limited to, need for identification for immediate airline or train travel, identification to enter restricted places, such as a hospital, or identification to complete a home purchase or rental.

13:21-9.21 Fee for driver licenses issued on emergent basis

(a) The fee for the expedited issuance of a license, non-driver identification card, or any renewal thereof on an emergent basis at an agency shall be as follows:

1. Standard Driver License - \$99.00
2. REAL ID Driver License - \$110.00
3. Commercial Driver License - \$117.00 plus the costs of any additional endorsements, if applicable
4. Commercial Learner’s Permit - \$200.00
5. Non-Driver Identification Card - \$99.00
6. Motorcycle License-\$99.00
7. Boat Operator License - \$99.00

(a)

MOTOR VEHICLE COMMISSION

Commercial Driver Licensing

Proposed Amendments: N.J.A.C. 13:21-23.1, 23.2, 23.12, 23.24, and 23.28

Authorized By: Motor Vehicle Commission, B. Sue Fulton, Chair and Chief Administrator.

Authority: N.J.S.A. 39:3-10.27; and 49 U.S.C. §§ 31310(d) and 31311.

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

Proposal Number: PRN 2020-075.

Submit comments by September 18, 2020, to:

Kate Tasch, Director
 Legal and Regulatory Affairs
 Motor Vehicle Commission
 225 East State Street
 PO Box 162
 Trenton, NJ 08666-0162
 or via email to: rulecomments@mvc.nj.gov

The agency proposal follows:

Summary

Recent changes to Federal law impose a life disqualification upon holders of commercial driver licenses (CDL) who are convicted of a felony involving “severe forms of trafficking in persons.” The life disqualification applies if the license holder or applicant used a commercial motor vehicle (CMV) in the offense. In this rulemaking action, the Motor Vehicle Commission (Commission) proposes amendments to the provisions of N.J.A.C. 13:21-23.1, 23.2, 23.12, 23.24, and 23.28, to bring these sections in line with the provisions of the new law, by adding the definition from 22 U.S.C. § 7102(11) of what constitutes an act or practice of “severe forms of trafficking in persons.”

Federal law, at 49 U.S.C. § 31310(d)(2), already required states to place a lifetime disqualification from CDL licensure on any individual who uses a CMV in committing a felony involving an act or practice described in paragraph (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7102(9)). A September 23, 2019 amendment to the Federal Motor Carrier Safety Regulations, at 49 CFR