

## **NOTICE TO NEW JERSEY LIMOUSINE COMPANIES AND OWNER OPERATORS**

Be advised that requirements affecting the limousine industry, companies, owners and drivers in New Jersey have changed.

Recently, a law was enacted transferring responsibility for coordination of criminal background checks for limousine drivers from the New Jersey Department of Transportation (DOT) to the New Jersey Motor Vehicle Commission (MVC). The New Jersey State Legislature and the Governor of New Jersey originally made these requirements part of State law on January 8, 2002. Therefore, limousine drivers employed on or after that date are subject to the background check provisions.

Under the revised law, the MVC will coordinate a program that informs limousine companies if a driver is qualified or disqualified from operating a limousine in New Jersey. This will be based on a criminal history review that may identify disqualifying convictions noted in the law. The employer is responsible for informing the MVC of employees requiring a background check, and the applicant (employee) will be responsible for submitting his/her fingerprints. The law covers large and small companies as well as owner operators in New Jersey. A copy of the law is available on this web site.

Employers will need to communicate requirements to prospective and some current employees. The forms to complete the process are available on this web site or by calling the MVC CDL Unit at 609-292-7500 ext 5077. The Limousine Driver Employer Application Form will be completed by the employer and mailed to MVC. The Fingerprint Application Form is completed by the driver and is used to schedule an appointment for fingerprinting.

All applicants must be fingerprinted by MorphoTrak (formerly Sagem Morpho), the State's vendor. A fee of \$51.00 is collected by Sagem Morpho, Inc. to cover State Police, FBI and vendor costs. The MVC does not collect a fee for administering this program. At the time of fingerprinting, the applicant for employment will also provide written consent to the performance of a criminal background check. Information on fingerprinting and instructions for completing the fingerprint application are also provided on this web site or by calling the MVC CDL Unit.

About 10 days after fingerprints have been submitted by the applicant, the MVC will receive a background check report. The MVC will review reports and mail each employer a letter of qualification or disqualification within approximately two weeks.

The letter will not be sent to the employee or applicant for employment, only the employer. Furthermore, the letter will not, in the case of disqualification, identify convictions.

By law, no one is permitted to drive a limousine unless they are 21 years of age or older and not until the limousine company has received written notification from the MVC Chief Administrator that the applicant is qualified for employment. To be qualified for employment as a limousine driver, a person cannot be convicted of aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, possession or sale of a controlled dangerous substance, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.A 2C:39. Furthermore, the law does not provide a waiver or exemption for rehabilitation. A disqualification notice will serve as the Chief Administrator's final determination. Please remember that an employer must submit the Limousine Driver Employer Application Form to be notified of the background check results.

As required by law, fingerprints are used to identify convictions at the State and Federal levels. Background checks for limousine drivers are independent of all other fingerprint background checks such as those for commercial driver passenger endorsement, commercial driver hazardous material endorsement, school teacher and for business licensing in New Jersey.

Limousine drivers hired on or after January 8, 2002, who now work for one or more employers, only need to submit fingerprints for one background check. However, qualified drivers seeking employment with a new limousine employer more than six months after they have been qualified will need to complete another background check. Any employer submitting an application for a driver will receive a qualification or disqualification letter.

Please note that a qualification letter only certifies an applicant/employee has not been convicted of any disqualifying offense. It does not address drug testing or any other provisions of the limousine law or other driver license requirements. The MVC plans to adopt regulations concerning drug testing and other provisions in the next six months.

The MVC understands the importance of limousine companies as well as drivers and the support they provide to transportation in New Jersey. The MVC has attempted to make it easy for employers and limousine drivers to meet requirements of the law. This information, including the documents, applications and Frequently Asked Questions are also available on the Web site at [www.njmvc.gov](http://www.njmvc.gov).

Should you have any questions concerning background checks, please contact the MVC Commercial Driver License Unit at 609-292-6500, ext. 5077.