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MOTOR VEHICLE COMMISSION**Licensing Service****License and Registration Renewals and Restorations****Adopted Amendments: N.J.A.C. 13:21-9.5 through 9.12, 9.14, and 9.15**

Proposed: April 3, 2017, at 49 N.J.R. 634(a).

Adopted: October 12, 2017, by the Motor Vehicle Commission,

Raymond P. Martinez, Chairman and Chief Administrator.

Filed: October 27, 2017, as R.2017 d.205, **without change**.

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.

Effective Date: November 20, 2017.

Expiration Date: December 4, 2020.

Summary of Public Comments and Agency Responses:

The written comments received by the Motor Vehicle Commission (Commission) regarding its April 3, 2017 notice of proposal at 49 N.J.R. 634(a) are available for inspection at the Office of the Chief Administrator, Regulatory and Legislative Affairs, Motor Vehicle Commission, 225 East State Street, 9th Floor, Trenton, New Jersey.

The Commission received written comments from one commenter, Jean Public, which comments are addressed below:

1. COMMENT: Jean Public believes that those who want duplicate registrations should have to go to an agency to obtain them, where all motor vehicle documents can be checked in person, because of supposed fraud perpetrated by “illegal immigrants, terrorists and fake refugees” with false documents.

RESPONSE: The Commission has determined that the comment lacks factual support, and further, that appropriate security measures and practices are and will be in place at the Commission in connection with online transactions for duplicate registrations to support such online transactions. For example, the Commission’s mail-in Skip the Trip program for renewing driver licenses has operated quite successfully for many years. Additionally, the convenience to customers and the objective of reducing traffic at the Commission’s agencies along with the safety and security of the Commission’s online program support the inclusion of duplicate registrations to the services the Commission offers online.

2. COMMENT: Jean Public believes that no interim driver cards should be issued.

RESPONSE: The Commission has considered Jean Public’s comment. However, the commenter has supplied no reason or support for the stated concern. The Commission has determined that if and when interim driver cards may be issued, appropriate security measures and practices will be employed to confirm that such cards could and would be issued using state-of-the-art technology and best practices to ensure the issuance would be safe, secure, and beneficial to the public.

3. COMMENT: Jean Public believes the Commission should not be in charge of non-driver identification cards, because the counties already have such cards, and “communities like Newark and Camden” New Jersey are corrupt, and nobody knows who is legal and American and who is “sneaking in” from another country.

RESPONSE: The Commission is bound by the law and is required to issue identification cards in accordance with N.J.S.A. 39:3-29.3 (P.L. 1980, c. 47). Additionally, county identification cards are not offered in all 21 New Jersey counties, nor are the cards that are offered uniform. County identification cards are also different from State-issued identification cards, and different counties have different standards for the identification documents required to obtain the cards. Additionally, county issued identification cards may not have security features equivalent to the Commission’s standards, nor can they be REAL ID compliant.

Federal Standards Statement

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

Full text of the adoption follows:

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 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.

...

“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 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 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 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

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 number

An applicant shall enter the applicant's full Social Security number as part of the registration renewal or duplicate process. Disclosure of the applicant's 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 through the Internet.

13:21-9.12 Automatic extension of prior registration for timely renewal by mail 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 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 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.