

[First Reprint]

ASSEMBLY, No. 4101

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 2, 2022

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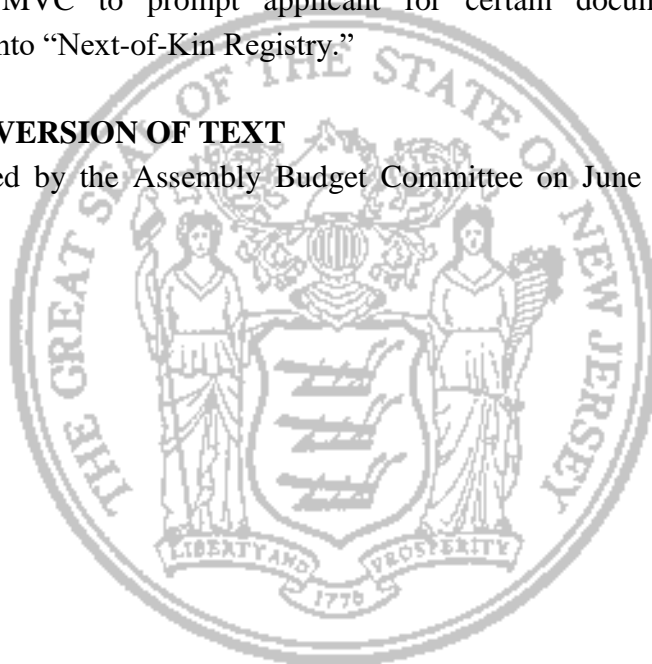
Assemblywoman McKnight, Senators O'Scanlon and Pou

SYNOPSIS

Requires MVC to prompt applicant for certain documents to enter information into "Next-of-Kin Registry."

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 27, 2022, with amendments.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning the "Next-of-Kin Registry" and amending
2 P.L.2011, c.47.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of ¹**[P.L.2011]** P.L.2011¹, c.47 (C.39:4-134.2) is
8 amended to read as follows:

9 1. a. The Chief Administrator of the New Jersey Motor Vehicle
10 Commission shall develop an emergency contact information
11 registry program. Under the program, the chief administrator shall
12 establish and maintain an automated Statewide registry to be known
13 as the "Next-of-Kin Registry," which shall be capable of storing
14 emergency contact information to be accessible by law enforcement
15 officials for the purposes established in section 2 of P.L.2011, c.47
16 (C.39:4-134.3). Under the program, the holder of any New Jersey
17 State validated permit or probationary or basic driver's license may
18 voluntarily submit the name and telephone number of two
19 emergency contacts and the vehicle identification number of any
20 vehicle owned, leased, or authorized to be used by the permit holder
21 or licensee to the "Next-of-Kin Registry" **[either]** through an in-
22 person application, through the commission's website, or by mail
23 and the holder of any New Jersey non-driver identification card may
24 voluntarily submit the name and telephone number of two
25 emergency contacts to the "Next-of-Kin Registry" **[either]** through
26 an in-person application, through the commission's website, or by
27 mail.

28 b. In implementing this program, the chief administrator shall
29 establish a process whereby the holder of any validated permit,
30 probationary or basic driver's license, or non-driver identification
31 card may:

32 (1) electronically sign onto the commission's web site using: (a)
33 the holder's validated permit or probationary or basic driver's
34 license number to submit the name and telephone number of up to
35 two emergency contacts and the vehicle identification number of
36 any vehicle owned, leased, or authorized to be used by the permit
37 holder or licensee to be stored in the "Next-of-Kin Registry;" or (b)
38 the holder's non-driver identification card number to submit the
39 name and telephone number of up to two emergency contacts to be
40 stored in the "Next-of-Kin Registry"; **[or]**

41 (2) (a) for the holder of any validated permit or probationary or
42 basic driver's license, submit the name and telephone number of up
43 to two emergency contacts and the vehicle identification number of
44 any vehicle owned, leased, or authorized to be used by the permit
45 holder or licensee to be stored in the "Next-of-Kin Registry" by

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 27, 2022.

1 mail using paper applications provided by the commission in the
2 commission's customer service facilities or through commission
3 mailings; or (b) for the holder of any non-driver identification card,
4 submit the name and telephone number of up to two emergency
5 contacts to be stored in the "Next-of-Kin Registry" by mail using
6 paper applications provided by the commission in the commission's
7 customer service facilities or through commission mailings; or

8 (3) (a) for the holder of any validated permit or probationary or
9 basic driver's license, use an application ¹["in-person"] in person¹ at
10 a commission agency location to submit the name and telephone
11 number of up to two emergency contacts and the vehicle
12 identification number of any vehicle owned, leased, or authorized to
13 be used by the permit holder or licensee to be stored in the "Next-
14 of-Kin Registry"; or

15 (b) for the holder of any non-driver identification card, use an
16 application ¹["in-person"] in person¹ at a commission agency
17 location to submit the name and telephone number of up to two
18 emergency contacts to be stored in the "Next-of-Kin Registry."

19 A permit holder, licensee, or non-driver identification card
20 holder who submits the name and telephone number of an
21 emergency contact or vehicle identification number shall have the
22 opportunity to revise or update the emergency contact and vehicle
23 identification number information at any time. The commission
24 shall automatically prompt a person applying for a validated permit,
25 probationary driver's license, or initial driver's license or non-
26 driver identification card, or renewing a driver's license or non-
27 driver identification card ¹in person at a commission agency
28 location or online through the commission's Internet website¹, to
29 enter information for the "Next-of-Kin Registry" in accordance with
30 the provisions of this section.

31 c. Information in the "Next-of-Kin Registry" shall be available
32 for the exclusive use of law enforcement officials, and employees of
33 the commission who are designated by the chief administrator, for
34 the purposes of discharging their duties pursuant to P.L.2011, c.47
35 (C.39:4-134.2 et al.). Law enforcement officials shall have direct
36 access to the information in the registry. Any emergency contact or
37 vehicle identification number information submitted to the
38 commission shall not be considered a government record pursuant
39 to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5
40 et al.), or the common law concerning access to public records and
41 shall not be discoverable as a government record by any person,
42 entity, or governmental agency, except upon a subpoena issued by a
43 grand jury or a court order in a criminal matter.

44 d. The chief administrator and employees of the commission
45 who are designated by the chief administrator, for the purposes of
46 discharging their duties pursuant to P.L.2011, c.47 (C.39:4-134.2 et
47 al.), shall not be liable to any person for civil damages, or subject to
48 criminal prosecution resulting from or caused by: (1) any disruption

1 or failure in Internet service caused by any accident, malfunction,
2 act of sabotage or God, or any other condition or circumstance that
3 the commission has not, directly or indirectly, caused and which
4 results in, or prevents, the holder of any New Jersey State validated
5 permit, probationary or basic driver's license, or non-driver
6 identification card from accessing, or inputting information into, the
7 "Next-of-Kin Registry" or which results in, or prevents, the chief
8 administrator and designated commission employees and law
9 enforcement officers from accessing, establishing, or maintaining
10 the "Next-of-Kin Registry"; (2) any misuse of, or the failure or
11 omission to input accurate information, or the inputting of
12 inaccurate or outdated information into the "Next-of-Kin Registry"
13 by any holder of any New Jersey State validated permit,
14 probationary or basic driver's license, or non-driver identification
15 card; or (3) the inability of any law enforcement officer to make
16 contact, in good faith, with any designated emergency contact
17 person. This limitation of liability is inapplicable if such failure
18 resulted from a malicious purpose or a wanton and willful disregard
19 for the safety of persons or property.

20 e. The commission shall coordinate with all other appropriate
21 executive branch departments and agencies for the purpose of
22 raising public awareness about the "Next-of-¹[King] Kin¹
23 Registry" and raising awareness among law enforcement agencies
24 and officers on the proper use of the registry.

25 f. For the purposes of P.L.2011, c.47 (C.39:4-134.2 et al.),
26 "emergency contact person" or "emergency contact" means a
27 person, eighteen years of age or older, whom the holder of any New
28 Jersey State validated permit, probationary or basic driver's license,
29 or non-driver identification card has designated to be contacted by
30 law enforcement personnel when the permit holder, licensee, or
31 non-driver identification card holder is rendered unable to
32 communicate due to a motor vehicle accident resulting in the
33 serious bodily injury, death, or incapacitation of the permit holder,
34 licensee, or non-driver identification card holder. An "emergency
35 contact person" or "emergency contact" may or may not be the
36 next-of-kin of the permit holder, licensee, or non-driver
37 identification card holder; except that if the permit holder, licensee,
38 or card holder is under the age of eighteen and is not emancipated,
39 the emergency contact person shall be the parent or guardian of that
40 permit holder, licensee, or card holder.

41 (cf: P.L.2017, c.382, s.1)

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43 2. This act shall take effect on the first day of the seventh
44 month following enactment but the Chief Administrator of the New
45 Jersey Motor Vehicle Commission shall take such anticipatory
46 action in advance thereof for the timely implementation of this act.