

[Second Reprint]

ASSEMBLY, No. 4101

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 2, 2022

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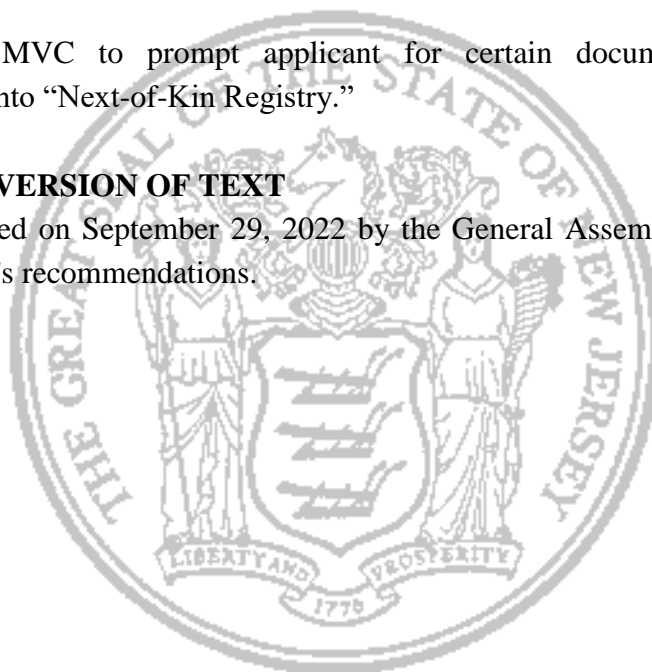
**Assemblywoman McKnight, Senators O'Scanlon, Pou and
Assemblywoman Park**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended on September 29, 2022 by the General Assembly pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 10/3/2022)

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.

²Assembly amendments adopted in accordance with Governor's
recommendations September 29, 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 ²**[applying]** who has used the
25 commission's internet website to schedule an appointment to apply²
26 for a validated permit, probationary driver's license, or initial
27 driver's license or non-driver identification card, or ²who is²
28 renewing a driver's license or non-driver identification card ²**[in**
29 person at a commission agency location or]² online through the
30 commission's Internet website¹, to enter information for the "Next-
31 of-Kin Registry" in accordance with the provisions of this section.

32 c. Information in the "Next-of-Kin Registry" shall be available
33 for the exclusive use of law enforcement officials, and employees of
34 the commission who are designated by the chief administrator, for
35 the purposes of discharging their duties pursuant to P.L.2011, c.47
36 (C.39:4-134.2 et al.). ²**[Law]** The commission shall afford law²
37 enforcement ²**[officials shall have]** officers with² direct access to
38 the information in the registry ², provided that the chief
39 administrator, in consultation with the Superintendent of State
40 Police, may impose reasonable restrictions and conditions on such
41 access². Any emergency contact or vehicle identification number
42 information submitted to the commission shall not be considered a
43 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
44 P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning
45 access to public records and shall not be discoverable as a
46 government record by any person, entity, or governmental agency,

1 except upon a subpoena issued by a grand jury or a court order in a
2 criminal matter.

3 d. The chief administrator and employees of the commission
4 who are designated by the chief administrator, for the purposes of
5 discharging their duties pursuant to P.L.2011, c.47 (C.39:4-134.2 et
6 al.), shall not be liable to any person for civil damages, or subject to
7 criminal prosecution resulting from or caused by: (1) any disruption
8 or failure in Internet service caused by any accident, malfunction,
9 act of sabotage or God, or any other condition or circumstance that
10 the commission has not, directly or indirectly, caused and which
11 results in, or prevents, the holder of any New Jersey State validated
12 permit, probationary or basic driver's license, or non-driver
13 identification card from accessing, or inputting information into, the
14 "Next-of-Kin Registry" or which results in, or prevents, the chief
15 administrator and designated commission employees and law
16 enforcement officers from accessing, establishing, or maintaining
17 the "Next-of-Kin Registry"; (2) any misuse of, or the failure or
18 omission to input accurate information, or the inputting of
19 inaccurate or outdated information into the "Next-of-Kin Registry"
20 by any holder of any New Jersey State validated permit,
21 probationary or basic driver's license, or non-driver identification
22 card; or (3) the inability of any law enforcement officer to make
23 contact, in good faith, with any designated emergency contact
24 person. This limitation of liability is inapplicable if such failure
25 resulted from a malicious purpose or a wanton and willful disregard
26 for the safety of persons or property.

27 e. ²(1)² The commission shall ²engage in a public awareness
28 campaign and² coordinate with all other appropriate executive
29 branch departments and agencies for the purpose of raising public
30 awareness about the "Next-of-¹[King] Kin¹ Registry^{2, 2}."

31 ²[and raising] (2) The Attorney General, in consultation with the
32 Superintendent of State Police, shall take appropriate steps to raise²
33 awareness among law enforcement agencies and officers on the
34 proper use of the registry.

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

1 or card holder is under the age of eighteen and is not emancipated,
2 the emergency contact person shall be the parent or guardian of that
3 permit holder, licensee, or card holder.

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

5

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