

CHAPTER 54

AN ACT concerning motor vehicle insurance identification cards and amending R.S.39:3-29 and P.L.1972, c.200.

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

1. R.S.39:3-29 is amended to read as follows:

License, registration certificate and insurance identification; possession; exhibit upon request; violations; fine; defense; certain fines to Omnibus Safety Enforcement Fund.

39:3-29. The driver's license, the registration certificate of a motor vehicle and an insurance identification card shall be in the possession of the driver or operator at all times when he is in charge of a motor vehicle on the highways of this State.

The driver or operator shall exhibit his driver's license and an insurance identification card, and the holder of a registration certificate or the operator or driver of a motor vehicle for which a registration certificate has been issued, whether or not the holder, driver or operator is a resident of this State, shall also exhibit the registration certificate, when requested so to do by a police officer or judge, while in the performance of the duties of his office, and shall write his name in the presence of the officer, so that the officer may thereby determine the identity of the licensee and at the same time determine the correctness of the registration certificate, as it relates to the registration number and number plates of the motor vehicle for which it was issued; and the correctness of the evidence of a policy of insurance, as it relates to the coverage of the motor vehicle for which it was issued.

The insurance identification card may be displayed or provided in either paper or electronic form. For the purposes of this section, "electronic form" means the display of images on an electronic device, such as a cellular telephone, tablet, or computer.

The use of a cellular telephone, tablet, computer, or any other electronic device to display proof of insurance does not constitute consent for a police officer or judge to access any other contents on the device. Any police officer or judge presented with an electronic device pursuant to this section shall be immune from any liability resulting from damage to the device.

Any person violating this section shall be subject to a fine of \$150, except that if the person is a driver or operator of an omnibus, as defined pursuant to R.S.39:1-1, the amount of the fine shall be \$250. Of the amount of any such fine collected pursuant to this paragraph, \$25 shall be deposited in the Uninsured Motorist Prevention Fund established by section 2 of P.L.1983, c.141 (C.39:6B-3).

If a person charged with a violation of this section can exhibit his driver's license, insurance identification card and registration certificate, which were valid on the day he was charged, to the judge of the municipal court before whom he is summoned to answer to the charge, such judge may dismiss the charge. However, the judge may impose court costs.

In addition to and independent of any fine or other penalty provided for under law, the court shall impose a fine of \$150 on any driver or operator of an omnibus, convicted of a violation of this section, who does not have a certificate of public convenience and necessity as required pursuant to R.S.48:4-3. The State Treasurer shall annually deposit the monies collected from the fines imposed pursuant to this paragraph to the "Omnibus Safety Enforcement Fund" established pursuant to section 4 of P.L.2007, c.40 (C.39:3-79.23). The fine described herein shall not be deemed a fine, penalty, or forfeiture pursuant to R.S.39:5-41.

2. Section 2 of P.L.1972, c.200 (C.39:3-29.1) is amended to read as follows:

C.39:3-29.1 Insurance identification cards; rules, regulations.

2. The Commissioner of Banking and Insurance shall, after consultation with the New Jersey Motor Vehicle Commission, promulgate rules and regulations concerning the issuance, design and content of the insurance identification cards required by this act.

The rules and regulations shall:

- (1) contain provisions designed to deter and detect counterfeit or fraudulent insurance identification cards; and

- (2) provide for an electronic form for the display of insurance identification cards as provided in R.S.39:3-29.

3. This act shall take effect immediately.

Approved May 7, 2015.