

## CHAPTER 301

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

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

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

C.39:4-134.2 "Next-of-Kin Registry.

1. a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall develop an emergency contact information registry program. Under the program, the chief administrator shall establish and maintain an automated Statewide registry to be known as the "Next-of-Kin Registry," which shall be capable of storing emergency contact information to be accessible by law enforcement officials for the purposes established in section 2 of P.L.2011, c.47 (C.39:4-134.3). Under the program, the holder of any New Jersey State validated permit, probationary or basic driver's license, or non-driver identification card may voluntarily submit the name and telephone number of two emergency contacts to the "Next-of-Kin Registry" either through the commission's website or by mail.

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

(1) electronically sign onto the commission's web site using the holder's validated permit, probationary or basic driver's license number, or non-driver identification card number and submit the name and telephone number of up to two emergency contacts to be stored in the "Next-of-Kin Registry"; or

(2) submit the name and telephone number of up to two emergency contacts to be stored in the "Next-of-Kin Registry" by mail using paper applications provided by the commission in the commission's customer service facilities or through commission mailings.

A permit holder, licensee, or non-driver identification card holder who submits the name and telephone number of an emergency contact shall have the opportunity to revise or update the emergency contact information at any time.

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

d. The chief administrator and employees of the commission who are designated by the chief administrator, for the purposes of discharging their duties pursuant to P.L.2011, c.47 (C.39:4-134.2 et al.), shall not be liable to any person for civil damages, or subject to criminal prosecution resulting from or caused by: (1) any disruption or failure in Internet service caused by any accident, malfunction, act of sabotage or God, or any other condition or circumstance that the commission has not, directly or indirectly, caused and which results in, or prevents, the holder of any New Jersey State validated permit, probationary or basic driver's license, or non-driver identification card from accessing, or inputting information into, the "Next-of-Kin Registry" or which results in, or prevents, the chief administrator and designated commission employees and law enforcement officers from accessing, establishing, or maintaining the "Next-of-Kin Registry"; (2) any misuse of, or the failure or omission to input accurate information, or

the inputting of inaccurate or outdated information into the "Next-of-Kin Registry" by any holder of any New Jersey State validated permit, probationary or basic driver's license, or non-driver identification card; or (3) the inability of any law enforcement officer to make contact, in good faith, with any designated emergency contact person. This limitation of liability is inapplicable if such failure resulted from a malicious purpose or a wanton and willful disregard for the safety of persons or property.

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

2. This act shall take effect on the first day of the third month following enactment except the chief administrator may take any anticipatory administrative action in advance as shall be necessary to implement this act.

Approved January 19, 2016.