

CHAPTER 175

AN ACT concerning the extension of certain benefits to certain family members of military personnel who died while on active duty and supplementing and amending various parts of the statutory law.

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

C.38A:15-9 List of possessors of Gold Star Family license plate, driver's license, identification card; fraudulent use; violations, penalties.

1. a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person:

(1) To have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) To lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) To display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) To permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) To photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) To alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of \$1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

C.45:1-15.6 Charge for professional, occupations license under certain circumstances; prohibited.

2. Notwithstanding the provision of any law, rule, or regulation to the contrary, a professional or occupational board, designated in section 2 of P.L.1978, c.73 (C.45:1-15), that issues a professional or occupational license, certificate of registration, or certification shall not charge a license fee for the issuance of a license to an applicant who holds a driver's license or identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively.

3. Section 1 of P.L.2007, c.275 (C.13:1L-12.1) is amended to read as follows:

C.13:1L-12.1 Free admission for veterans, Gold Star Family members to State park or forest.

1. a. (1) The department shall not charge an admission fee for entrance into a State park or forest by any veteran during an event held by a veterans' organization. In addition, the department shall not charge a facilities fee of any kind to any veterans' organization using a State park or forest for an event.

(2) The department shall not charge an admission fee or facilities fee of any kind for entrance into a State park or forest by a person holding a driver's license or identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively.

b. As used in this section:

"Veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States, or any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits; and

"Veterans' organization" means the American Legion, Veterans of Foreign Wars, or other veterans' organizations chartered under federal law, or any service foundation of such an organization recognized in its bylaws.

4. Section 4 of P.L.1989, c.162 (C.38A:3-6.6) is amended to read as follows:

C.38A:3-6.6 Admission to certain veterans' facility for persons without sufficient financial ability.

4. The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

a. A disabled veteran who has been a resident of New Jersey for at least two years prior to the date of application;

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death, and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application;

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application; and

e. A person holding a driver's license or identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively.

This section shall not be construed to prevent a veteran who actually served in a New Jersey military organization, and who is qualified for admission except for the required period of State residence, from being admitted to a veterans' facility, but preference shall be

given to persons who have been residents of the State for a period of at least two years prior to application.

5. Section 1 of P.L.2013, c.165 (C.39:3-10f6) is amended to read as follows:

C.39:3-10f6 Display of veteran, Gold Star Family status on driver's licenses, identification cards.

1. a. (1) In addition to the requirements for the form and content of a motor vehicle driver's license under R.S.39:3-10 and a probationary license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), the Chief Administrator of the New Jersey Motor Vehicle Commission shall, upon submission of satisfactory proof, designate on an initial license, renewal license, or probationary license, as appropriate, that the license holder is a veteran of the Armed Forces of the United States of America. The designation of veteran status on an initial license, renewal license, or probationary license shall not be deemed sufficient valid proof of veteran status for official governmental purposes when any other statute, or any regulation or other directive of a governmental entity, requires documentation of veteran status.

(2) In addition to the requirements for the form and content of a motor vehicle driver's license under R.S.39:3-10 and a probationary license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), the Chief Administrator of the New Jersey Motor Vehicle Commission shall, upon submission of satisfactory proof, designate on an initial license, renewal license, or probationary license, as appropriate, that the license holder is a Gold Star Family member. The commission shall provide to the Department of Military and Veterans' Affairs personal identifying information of any person issued a driver's license with a Gold Star Family designation pursuant to this section.

b. For the purpose of this section:

"Gold Star Family member" means a spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood or by adoption, of a member of the Armed Forces of the United States or National Guard, who lost his or her life while on active duty for the United States.

"Veteran" means a person who has been honorably discharged from the active military service of the United States.

"Satisfactory proof" means, in the case of a veteran, a copy of form DD-214 or federal activation orders showing service under Title 10, section 672 or section 12301, of the United States Code, or a county veteran identification card only if issuance of the card requires a copy of form DD-214 discharge papers or approved separation forms as outlined by all branches of the military and duly recorded by the county clerk's office. In the case of a Gold Star Family member, satisfactory proof includes any or all of the following:

(1) a certification from the Department of New Jersey of American Gold Star Mothers, Inc., or any other organization formed for the support of family members of members of the Armed Forces of the United States or National Guard, who lost their lives while on active duty for the United States, that the applicant is either the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood or by adoption, of a member of the armed forces or National Guard who died while on active duty for the United States; or

(2) (a) documentation deemed acceptable by the Adjutant General, including, but not limited to, a federal DD Form 1300, Report of Casualty, or a federal DD Form 2064,

Certificate of Death Overseas, which identifies the member of the Armed Forces of the United States or National Guard who died while on active duty for the United States; and

(b) documentation indicating the applicant's relationship to the service member.

6. Section 2 of P.L.2011, c.17 (C.39:3-27.142) is amended to read as follows:

C.39:3-27.142 Application procedure, documentation.

2. a. Application for issuance of a Gold Star Family license plate shall be made to the chief administrator on forms and in a manner prescribed by the chief administrator. In order to be deemed complete, an application shall be accompanied by proof satisfactory to the Chief Administrator that the applicant is a family member of a member of the armed services who died while on active duty for the United States. Proof satisfactory may include any or all of the following:

(1) a certification from the Department of New Jersey of American Gold Star Mothers, Inc., or any other organization formed for the support of parents of members of the armed services who lost their lives while on active duty for the United States, that the applicant is either the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian or other legal custodian, whether of the whole or half blood or by adoption, of a member of the armed services who died while on active duty for the United States;

(2) documentation deemed acceptable by the Chief Administrator, including but not limited to a federal DD Form 1300, Report of Casualty, which identifies the member of the armed services who died while on active duty for the United States;

(3) documentation indicating the applicant's relationship to the service member; or

(4) a driver's license or identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively.

The chief administrator may consult with the Adjutant General of the Department of Military and Veterans' Affairs when establishing the documentation that may constitute satisfactory proof of an applicant's relationship to a deceased service member. In instances where an applicant is unable to produce documentation deemed acceptable to the Chief Administrator, the Adjutant General shall assist the chief administrator in making a determination of the applicant's eligibility for a Gold Star Family license plate.

b. The chief administrator may designate a representative of the Department of New Jersey of American Gold Star Mothers, Inc., or any other organization formed for the support of parents of members of the armed services who lost their lives while on active duty for the United States, who shall serve as a liaison between such organization and the commission. The chief administrator may require an applicant for a Gold Star Family license plate to submit the application to the representative for approval. Upon approval, the representative shall certify on the application that the applicant is either the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian or other legal custodian, whether of the whole or half blood or by adoption, of a member of the armed services who died while on active duty for the United States and thereby eligible for receipt of the Gold Star Family license plate. The application shall then be forwarded to the chief administrator for final approval.

c. The commission shall provide to the Department of Military and Veterans' Affairs personal identifying information of any person issued a Gold Star Family license plate pursuant to this section.

7. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read as follows:

C.39:3-29.3 Identification cards, issuance; contents.

2. a. (1) The New Jersey Motor Vehicle Commission shall issue an identification card to any resident of the State who is 14 years of age or older and who is not the holder of a valid permit or basic driver's license. The identification card shall attest to the true name, correct age, and veteran status, upon submission of satisfactory proof, by any veteran, and shall contain other identifying data as certified by the applicant for such identification card. Every application for an identification card shall be signed and verified by the applicant and shall be accompanied by the written consent of at least one parent or the person's legal guardian if the person is under 17 years of age and shall be supported by such documentary evidence of the age, identity, and veteran status, or blindness, or disability of such person as the chief administrator may require. In addition to requiring an applicant for an identification card to submit satisfactory proof of identity, age, and, if appropriate, veteran status, the chief administrator also shall require the applicant to provide, as a condition for obtaining the card, satisfactory proof that the applicant's presence in the United States is authorized under federal law. If the chief administrator has reasonable cause to suspect that any document presented by an applicant as proof of identity, age, veteran status, or legal residency is altered, false or otherwise invalid, the chief administrator shall refuse to grant the identification card until such time as the document may be verified by the issuing agency to the chief administrator's satisfaction.

(2) In addition to the requirements for the form and content of an identification card pursuant to this section, the Chief Administrator of the New Jersey Motor Vehicle Commission shall, upon submission of satisfactory proof, designate on an identification card that the card holder is a Gold Star Family member. The commission shall provide to the Department of Military and Veterans' Affairs personal identifying information for any person issued an identification card with a Gold Star Family designation pursuant to this section.

b. The designation of veteran status on an identification card shall not be deemed sufficient valid proof of veteran status for official governmental purposes when any other statute, or any regulation or other directive of a governmental entity, requires documentation of veteran status.

c. For the purpose of this section:

"Gold Star Family member" means a spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood or by adoption, of a member of the Armed Forces of the United States or National Guard, who lost his or her life while on active duty for the United States.

"Veteran" means a person who has been honorably discharged from the active military service of the United States; and

"Satisfactory proof" means, in the case of a veteran, a copy of form DD-214 or federal activation orders showing service under Title 10, section 672 or section 12301, of the United States Code, or a county veteran identification card only if issuance of the card requires a copy of form DD-214 discharge papers or approved separation forms as outlined by all branches of the military and duly recorded by the county clerk's office. In the case of a Gold Star Family member, satisfactory proof includes any or all of the following:

(1) a certification from the Department of New Jersey of American Gold Star Mothers, Inc., or any other organization formed for the support of family members of members of the Armed Forces of the United States or National Guard, who lost their lives while on active

duty for the United States, that the applicant is either the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood or by adoption, of a member of the armed forces or National Guard who died while on active duty for the United States; or

(2) (a) documentation deemed acceptable by the Adjutant General, including, but not limited to, a federal DD Form 1300, Report of Casualty, or a federal DD Form 2064, Certificate of Death Overseas, which identifies the member of the Armed Forces of the United States or National Guard who died while on active duty for the United States; and

(b) documentation indicating the applicant's relationship to the service member.

8. Section 1 of P.L.1955, c.49 (C.40:61-22.20) is amended to read as follows:

C.40:61-22.20 Municipal control over beaches, etc., fees.

1. a. The governing body of any municipality bordering on the Atlantic Ocean, tidal water bays or rivers which owns or shall acquire, by any deed of dedication or otherwise, lands bordering on the ocean, tidal water bays or rivers, or easement rights therein, for a place of resort for public health and recreation and for other public purposes shall have the exclusive control, government and care thereof and of any boardwalk, bathing and recreational facilities, safeguards and equipment, now or hereafter constructed or provided thereon, and may, by ordinance, make and enforce rules and regulations for the government and policing of such lands, boardwalk, bathing facilities, safeguards and equipment; provided, that such power of control, government, care and policing shall not be construed in any manner to exclude or interfere with the operation of any State law or authority with respect to such lands, property and facilities. Any such municipality may, in order to provide funds to improve, maintain and police the same and to protect the same from erosion, encroachment and damage by sea or otherwise, and to provide facilities and safeguards for public bathing and recreation, including the employment of lifeguards, by ordinance, make and enforce rules and regulations for the government, use, maintenance and policing thereof and provide for the charging and collecting of reasonable fees for the registration of persons using said lands and bathing facilities, for access to the beach and bathing and recreational grounds so provided and for the use of the bathing and recreational facilities, but no such fees shall be charged or collected from children under the age of 12 years.

b. A municipality may by ordinance provide that no fees, or reduced fees, shall be charged to:

(1) persons 65 or more years of age;

(2) persons who meet the disability criteria for disability benefits under Title II of the federal Social Security Act (42 U.S.C. s.401 et seq.);

(3) persons in active military service in any of the Armed Forces of the United States and to their spouse or dependent children over the age of 12 years;

(4) persons who are active members of the New Jersey National Guard who have completed Initial Active Duty Training and to their spouse or dependent children over the age of 12 years. As used in this paragraph, "Initial Active Duty Training" means Basic Military Training, for members of the New Jersey Air National Guard, and Basic Combat Training and Advanced Individual Training, for members of the New Jersey Army National Guard;

(5) persons who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from

active duty by reason of a service-incurred injury or disability. The Adjutant General of the New Jersey Department of Military and Veterans' Affairs shall promulgate rules and regulations pertaining to veteran eligibility under this paragraph; and

(6) persons holding a driver's license or identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively.

c. A municipality providing for no fees or reduced fees pursuant to paragraph (3), (4), (5), or (6) of subsection b. of this section shall track, in a manner deemed appropriate by the governing body of the municipality, the number of persons who qualify under the provisions of those paragraphs.

d. A person who qualifies for free access to beaches and bathing and recreational grounds and free use of bathing and recreational facilities pursuant to paragraph (3), (4), (5), or (6) of subsection b. of this section may, in lieu of obtaining and presenting a municipal beach tag or similar admission pass to gain such access and use, present a valid military identification card, form DD-214 or similar document, or State driver's license or identification card indicating that the holder is a veteran of the Armed Forces of the United States or a Gold Star Family member.

9. Section 4 of P.L.2015, c.81 (C.52:16A-115) is amended to read as follows:

C.52:16A-115 Authority, powers of division.

4. The Division of the State Museum in the Department of State is hereby authorized and empowered to:

- a. employ an executive director of the New Jersey State Museum;
- b. prescribe rules and regulations consistent with the laws and rules of the State of New Jersey for the operation of the museum, including those relating to operations, capital projects, collections, exhibits, and services;
- c. on behalf of the State and in furtherance of the purposes of the museum, solicit, receive and administer gifts, bequests, and devises of property of any kind whatsoever, and grants from agencies of the United States government;
- d. make purchases for the collections and dispose of items in the collections by sale or auction;
- e. enter into contracts with individuals, organizations, and institutions for services or endeavors furthering the objectives of the museum's programs;
- f. prepare and implement a fiscal plan for the museum which shall include support from the State of New Jersey and the private sector;
- g. submit an annual operational and capital funding request to the Governor through the Department of State and the Division of Budget and Accounting in the Department of the Treasury and to expend or authorize the expenditure of funds derived from such sources and funds as are appropriated annually to the museum;
- h. manage and control the museum, together with its contents, furnishings, and other properties;
- i. care for and preserve property belonging to the museum;
- j. provide auxiliary services such as for the sale of books, periodicals, and art supplies and to provide facilities for the operation of food and beverage services at the museum;
- k. impose an admission charge to the museum, if deemed appropriate, except the division shall not impose an admission charge to a veteran, active member of the Armed Forces of the United States or National Guard, or a person holding a driver's license or

identification card with a Gold Star Family designation issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively;

- l. adopt bylaws for the museum's governance;
- m. operate branch museums and to give technical advice to other museums;
- n. collect, preserve, and exhibit, in cooperation with the Department of Military and Veterans' Affairs, Medals of Honor and related memorabilia; and
- o. provide, within the limits of funds appropriated therefor, for a program of maintenance and support for services by the Newark Museum Association for the educational and recreational use and benefit of the public.

10. This act shall take effect on the first day of the sixth month next following the date of enactment, except that the Chief Administrator of the Motor Vehicle Commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved July 21, 2017.