

## CHAPTER 382

AN ACT concerning emergency contact information 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 or probationary or basic driver's license may voluntarily submit the name and telephone number of two emergency contacts and the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee to the "Next-of-Kin Registry" either through the commission's website or by mail and the holder of any New Jersey 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: (a) the holder's validated permit or probationary or basic driver's license number to submit the name and telephone number of up to two emergency contacts and the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee to be stored in the "Next-of-Kin Registry;" or (b) the holder's non-driver identification card number to submit the name and telephone number of up to two emergency contacts to be stored in the "Next-of-Kin Registry"; or

(2) (a) for the holder of any validated permit or probationary or basic driver's license, submit the name and telephone number of up to two emergency contacts and the vehicle identification number of any vehicle owned, leased, or authorized to be used by the permit holder or licensee 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; or (b) for the holder of any non-driver identification card, 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 or vehicle identification number shall have the opportunity to revise or update the emergency contact and vehicle identification number 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 or vehicle identification number information submitted to the commission shall not be considered a government 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 government 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 immediately but shall remain inoperative until the first day of the thirteenth month following enactment, but the chief administrator may take any such anticipatory administrative action as may be necessary for the timely implementation of this act.

Approved January 16, 2018.