

March 18, 2013

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 71**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Committee Substitute for Senate Bill No. 71 with my recommendations for reconsideration.

This bill would establish a Statewide Yellow Dot program to be administered by the New Jersey Motor Vehicle Commission. Yellow Dot programs are designed to provide emergency responders with health and emergency contact information to better assist program participants who are involved in motor vehicle emergencies. A program participant places a yellow dot in their vehicle's rear window which alerts emergency personnel to check the glove compartment for additional health information.

While I am supportive of the sponsors' intent to offer an additional mechanism to assist in vehicle-related emergencies, I do not believe a State administered program is necessary. Yellow Dot programs are in place in more than twenty states, and the majority are administered by local governments. Here in New Jersey, Mount Laurel Township has already successfully implemented a Yellow Dot program through the coordinated efforts of the Mount Laurel Township Police, Fire Department, EMS, Parks & Recreation Department, Township Managers Office, senior groups and other concerned citizens. Notably, Mount Laurel's program is provided without taxpayer expense through nonprofit funding.

Based on these examples, legislation establishing a Statewide Yellow Dot program is not necessary in order for Yellow Dot programs to be established in the State. Yellow Dot programs have been successful here, and in other states, without centralized administration and without the need for a new appropriation - a requirement of the current bill that the

sponsors have not addressed. Rather, the better approach is to clarify that Yellow Dot programs may be established at the local level.

Therefore, I herewith return Senate Committee Substitute for Senate Bill No. 71 and recommend that it be amended as follows:

<u>Page 2, Title, Line 1:</u>	Delete "establishing a "New Jersey Yellow Dot Program"" and insert "authorizing the establishment of Yellow Dot Programs"
<u>Page 2, Title, Line 2:</u>	Delete "chapter 3 of Title 39" and insert "Title 40"
<u>Page 2, Section 1, Lines 8-14:</u>	Delete in their entirety
<u>Page 2, Section 1, Line 18:</u>	Delete "commissioner" and insert "Commissioner of Health"
<u>Page 2, Section 1, Line 19:</u>	Delete "and Senior Services"
<u>Page 2, Section 1, Line 23:</u>	After "affixed" delete "the" and insert "a Yellow Dot window"
<u>Page 2, Section 1, Lines 23-24:</u>	Delete "by the New Jersey Motor Vehicle Commissioner"
<u>Page 2, Section 2, Lines 27-28:</u>	Delete "There is established a "New Jersey Yellow Dot Program" in the New Jersey Motor Vehicle Commission." and insert "a. The local governing body of any county or municipality in this State may establish a "Yellow Dot Program.""
<u>Page 2, Section 2, Lines 28-29:</u>	Delete "the program" and insert "a Yellow Dot Program"
<u>Page 2, Section 2, Line 33:</u>	After "communicate." Insert "b. A Yellow Dot Program window decal on a motor vehicle involved in a motor vehicle accident or emergency shall serve as notice to an emergency responder assisting the vehicle that the driver or any passenger in the vehicle may be a participant in a Yellow Dot Program established pursuant to this act.

c. If a motor vehicle is involved in a motor vehicle accident or emergency, and a Yellow Dot Program window decal is affixed to the vehicle, an emergency responder at the scene of such accident or emergency is authorized to search the glove compartment of the vehicle for a Yellow Dot Program envelope and health information card.

d. An emergency responder may use the information contained in the Yellow Dot Program envelope for the following purposes:

(1) To identify a participant in the Yellow Dot Program;

(2) To ascertain whether the program participant has a medical condition that may impede communications with the emergency responder;

(3) To communicate with the program participant's emergency contacts about the location and general condition of the program participant; or

(4) To consider the program participant's current medications and pre-existing medical conditions when emergency medical treatment is administered for any injury the participant suffers."

Page 2, Section 3, Lines 35-47:

Delete in their entirety and insert new sections 3 and 4: "3. a. In implementing a Yellow Dot Program and designing program materials, a local governing body shall give consideration to the program materials used by similar programs in the State and other states. The local governing body may also consult with interested parties, including, but not limited to, local law enforcement agencies, fire departments, emergency medical services personnel, agencies or organizations that have direct contact with senior

citizens, and any other organizations that promote the health and safety of motorists.

b. Program materials shall include, but need not be limited to:

(1) An adhesive yellow decal which will be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physicians' names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the local governing body shall deem to be relevant to emergency responders in the case of a motor vehicle accident or emergency; and

(3) A yellow envelope into which the health information card is to be inserted and which shall be placed in the program participant's glove compartment.

4. a. Any local governing body that establishes a Yellow Dot Program pursuant to this act shall make program materials available for pick up at convenient and accessible locations by any person interested in becoming a program participant. The locations where program materials will be made available for pick up shall be determined by the local governing body. The local governing body may also establish a means whereby program materials may be obtained or ordered through the mail or electronically.

b. A local governing body may charge an individual seeking to participate in a Yellow Dot Program a nominal fee to cover the

administrative cost of the program, which may include, but not be limited to, the cost of program materials, any public education campaign which may be undertaken to inform the public about the program, and any assistance provided to program participants."

Page 3, Section 3, Lines 1-22: Delete in their entirety
Page 3, Section 4, Lines 24-32: Delete in their entirety
Page 3, Section 5, Lines 34-36: Delete in their entirety
Page 3, Section 6, Line 38: Delete "6." and insert "5."
Page 3, Section 7, Lines 45-47: Delete in their entirety
Page 4, Section 8, Line 1: Delete "8." and insert "6."
Page 4, Section 8, Line 1: Delete "on the first day of the thirteenth" and insert "immediately."
Page 4, Section 8, Lines 2-4: Delete in their entirety

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor