

**MEMORANDUM OF UNDERSTANDING BETWEEN THE NEW JERSEY MOTOR VEHICLE
COMMISSION AND THE REPUBLIC OF CHINA (TAIWAN) THROUGH THE MINISTRY OF
TRANSPORTATION AND COMMUNICATIONS CONCERNING THE RECIPROCAL
ISSUANCE OF DRIVER LICENSES**

Whereas, the New Jersey Motor Vehicle Commission ("NJMVC") and the Republic of China (Taiwan) through the Ministry of Transportation and Communications, represented by the Director General of the Taipei Economic and Cultural Office (TECO) in New York, (both referred to herein as the Parties (hereinafter jointly referred to as the "Parties")) wish to enter a Memorandum of Understanding ("MOU") for the mutual recognition of driver licenses; and

Whereas, the jurisdictions each issue driver licenses that authorize their residents to operate motor vehicles, after passing written and skills tests, within their respective jurisdictions;

Whereas, the Parties acknowledge that they have comparable knowledge and driving skills requirements that must be demonstrated by a driver license applicant under comparable standards prior to a driver license being issued; and

Whereas, the jurisdictions require a person who resides in their respective jurisdiction hold a valid driver license while driving a motor vehicle;

Therefore, having the intent to establish an MOU for reciprocity, for the exchange of valid non-commercial driver licenses for applicants from the respective jurisdictions living in the other's, the Parties agree to the following:

1. When obtaining a driver license from either jurisdiction, the applicant will pay the same statutory licensing fees required of any applicant in that jurisdiction.
2. Applicants, in accordance with this MOU, must meet the same standards, rules, and regulations as any other driver license applicant in the State of New Jersey and/or the Republic of China (Taiwan).
3. Each jurisdiction agrees to verify that at the time of application, the applicant holds a valid, current driver license from where the applicant is licensed. Driver licenses from the Republic of China (Taiwan) do not have an expiration date, so must be presented with a current Verification of Certificate of Driver's License from the Republic of China (Taiwan). Only a valid driver license with a photograph of the holder will be accepted for a driver license in the other jurisdiction.

- a. "Valid" means at the time of applying for a driver license issued in one jurisdiction using a driver license issued by the other jurisdiction, the driver license that is being presented is not expired, revoked, suspended, withdrawn, pending suspension or disqualified or cancelled by the jurisdiction that issued the driver license, or that the driver license is not subject to any other kind of restriction that results in the driver license being unable to be used for the purpose for which it was intended.
 - b. The license documents presented to the MVC must be translated into English, with the applicant responsible for paying for the translation. The translated document shall contain a statement that the translator is competent to translate and that the translation is accurate, and shall display the translator's name, signature, address and date. The MVC alternatively may accept current documents translated and authenticated, signed, and dated by TECO in New York. The MVC may also require an applicant to provide a translation into English of any documents presented as identification or proof of lawful presence as set forth in paragraph 5 below.
 - c. The Republic of China (Taiwan) may require an applicant to present a driver abstract issued by the New Jersey Motor Vehicle Commission showing the driver license is in good standing.
4. Each jurisdiction shall waive the knowledge and road tests for applicants holding valid, current driver licenses with the required documentation. Where a driver license holder wishes to apply for a driver license of a higher class than that recognized as equivalent, the knowledge and road test exemption shall not apply, and the driver license holder will be required to pass all tests subject to jurisdictional laws.
 5. Each jurisdiction agrees the original driver's license issued by the other jurisdiction shall be returned to the applicant after a new license is issued.

Prior to issuing a license, the jurisdictions will ensure the holder of a driver license provides documentation satisfactory to the jurisdiction being asked to issue a new driver license.

Applicants for New Jersey driver licenses shall provide six points of identification meeting the 6 Point Verification Program requirements, which includes:

- a. At least one primary document from the 6 Point Identity document list;

- b. At least one secondary document from the 6 Point Identity document list;
- c. Proof of address and legal presence in the United States; and a valid, current, translated photo driver license from the Republic of China (Taiwan) accompanied by a current Verification of Certificate of Driver's License. As used in this MOU, a current document is one dated from up to 30 days prior to the applicant's arrival in the United States, or after the time of the applicant's arrival in the United States.

Applicants for the Republic of China (Taiwan) driver licenses shall have a valid Taiwan resident certificate that is valid for at least six months from date of issue. New Jersey applicants shall apply to the TECO in New York for authentication of the applicants' New Jersey driver licenses. The documents presented to the TECO in New York must include:

- a. A complete driver's license application form for authentication of documents. The form is provided by TECO
 - b. An original or copy of valid US identity documents (passport, permanent resident card, etc.)
 - c. A valid, current New Jersey Class D driver license.
6. Each jurisdiction reserves the right to request a vision and/or medical examination of the applicant.
7. This Memorandum of Understanding shall only be extended to persons who are eighteen (18) years of age or older, hold an unrestricted license, and are not applying for a license to operate a commercial motor vehicle or motorcycle (in the State of New Jersey: basic driver license Class D. In the Republic of China (Taiwan): Class B driver license).
8. a. In the event that the laws or regulations applicable to either jurisdiction are amended such that they affect or modify the terms and conditions of this Memorandum of Understanding, or in the event that either jurisdiction enters into arrangements that affect or modify the terms and conditions of this Memorandum of Understanding, each jurisdiction shall notify the other as soon as possible, but not later than 90 days after, such laws or regulations are enacted or such an arrangement concluded.
- b. The Parties may amend this Memorandum of Understanding in writing upon their mutual consent. Any differences arising from the interpretation of this MOU shall be resolved through discussions between the Parties. Either Party may terminate this

Memorandum of Understanding for any reason by submitting 90 days' notice to the other jurisdiction, except in the case of the misuse of data or a security breach, in which case either Party may immediately terminate this MOU. Any notices to be given pursuant to this Memorandum of Understanding shall be in writing and will be given by personal delivery, email or mail. Subject to changes by either jurisdiction with written notice to the other, notices shall be addressed to the individuals below.

Taipei Economic and Cultural Office in New York
Office of the Director-General
1 E. 42nd St, New York, NY 10017
Telephone: (212) 317-7300
Fax: (212) 317-7332

New Jersey Motor Vehicle Commission
Deputy Administrator of Agency Operations
225 E. State Street, PO Box 160
Trenton, NJ 08666-0160, USA
Telephone: (609) 292-5964
Fax: (609) 984-1298

9. This MOU is subject to the relevant laws and regulations in effect in the Republic of China (Taiwan) and the State of New Jersey. The Parties will respect all state and national privacy laws regarding any information obtained when exchanging a driver license, including the following:
- a. The Driver's Privacy Protection Act of 1994, as set forth in Title 18 of the United States Code in Sections 2721 through 2725;
 - b. The New Jersey Driver Privacy Protection Act, N.J.S.A.39:2A-3.4 et seq,
 - c. The regulations set forth in Title 13 of the New Jersey Administrative Code at Chapter 21; and
 - d. The Personal Information Protection Act of The Republic of China (Taiwan).

This Memorandum of Understanding shall be effective on the last date signed by an authorized representative from each jurisdiction, below.

For the Republic of China (Taiwan)
Through the Ministry of Transportation and Communications:



Lily L. W. Hsu, Director-General
Taipei Economic and Cultural Office in NY
1 E. 42nd Street 15F
New York, NY 10017

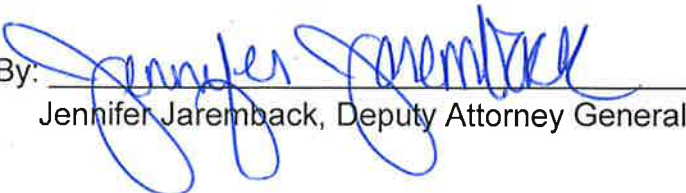
For the State of New Jersey:



B. Sue Fulton, Chair and Chief Administrator
New Jersey Motor Vehicle Commission
225 E. State Street, PO Box 160
Trenton, NJ 08666-0160

Approved as to form

Attorney General of New Jersey Gurbir S. Grewal

By: 
Jennifer Jaremback, Deputy Attorney General