

# SENATE, No. 1082

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 14, 2008

**Sponsored by:**

**Senator ANDREW R. CIESLA**

**District 10 (Monmouth and Ocean)**

**Senator JEFF VAN DREW**

**District 1 (Cape May, Atlantic and Cumberland)**

**Assemblyman RUBEN J. RAMOS, JR.**

**District 33 (Hudson)**

**Assemblywoman CARIDAD RODRIGUEZ**

**District 33 (Hudson)**

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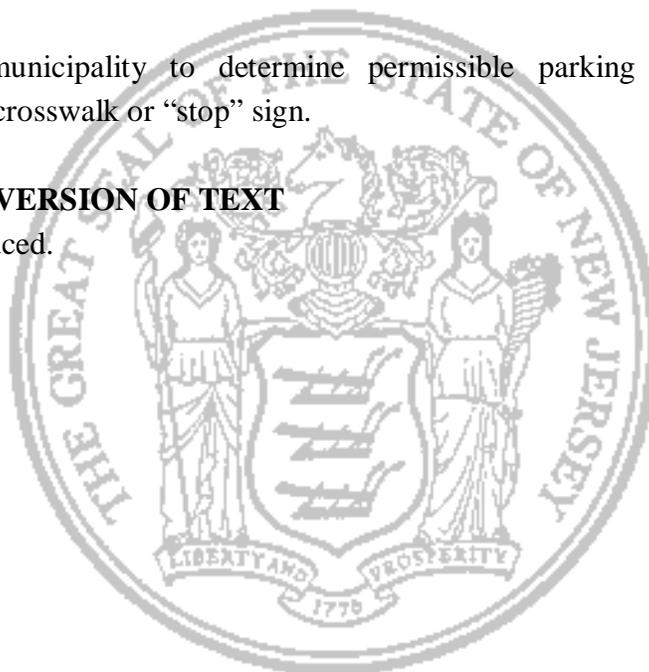
**Senator Sacco, Assemblymen Wolfe, Holzapfel, Diegnan, Giblin, Rumana,  
Assemblywoman Evans and Assemblyman Chivukula**

**SYNOPSIS**

Permits municipality to determine permissible parking distance from intersection, crosswalk or “stop” sign.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/12/2010)**

1 AN ACT concerning parking, amending R.S.39:4-138 and  
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6

7 1. R.S.39:4-138 is amended to read as follows:

8 39:4-138. Except when necessary to avoid conflict with other  
9 traffic or in compliance with the directions of a traffic or police  
10 officer or traffic sign or signal, no operator of a vehicle shall stand  
11 or park the vehicle in any of the following places:

12 a. Within an intersection;

13 b. On a crosswalk;

14 c. Between a safety zone and the adjacent curb or within at least  
15 20 feet of a point on the curb immediately opposite the end of a  
16 safety zone;

17 d. In front of a public or private driveway;

18 e. Within 25 feet of the nearest crosswalk or side line of a street  
19 or intersecting highway, except at alleys and as provided in section  
20 2 of P.L. ,c. (C. ) (pending before the Legislature as this  
21 bill.);

22 f. On a sidewalk;

23 g. In any appropriately marked "No Parking" space established  
24 pursuant to the duly promulgated regulations of the Commissioner  
25 of Transportation;

26 h. Within 50 feet of a "stop" sign except as provided in section 2  
27 of P.L. ,c. (C. ) (pending before the Legislature as this  
28 bill.);

29 i. Within 10 feet of a fire hydrant;

30 j. Within 50 feet of the nearest rail of a railroad crossing;

31 k. Within 20 feet of the driveway entrance to any fire station and  
32 on the side of a street opposite the entrance to any fire station  
33 within 75 feet of said entrance, when properly signposted;

34 l. Alongside or opposite any street excavation or obstruction  
35 when stopping, standing, or parking would obstruct traffic, when  
36 properly signposted;

37 m. On the roadway side of any vehicle stopped or parked at the  
38 edge or curb of a street;

39 n. Upon any bridge or other elevated structure upon a highway,  
40 or within a highway tunnel or underpass, or on the immediate  
41 approaches thereto except where space for parking is provided;

42 o. In any space on public or private property appropriately  
43 marked for vehicles for the physically handicapped pursuant to  
44 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et  
45 seq.) or any other applicable law unless the vehicle is authorized by

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 law to be parked therein and a handicapped person is either the  
2 driver or a passenger in that vehicle. State, county or municipal law  
3 enforcement officers or parking enforcement authority officers shall  
4 enforce the parking restrictions on spaces appropriately marked for  
5 vehicles for the physically handicapped on both public and private  
6 property.

7 No person shall move a vehicle not lawfully under his control  
8 into any such prohibited area or away from a curb such distance as  
9 is unlawful.

10 (cf: P.L.1989, c.201, s.1)

11

12 2. (New section) A municipality may mandate by ordinance the  
13 permissible distance a person may park a motor vehicle from a  
14 crosswalk, side line of a street or intersecting highway, or "stop"  
15 sign. A municipality may not, however, permit parking within 25  
16 feet of a crosswalk or side line of a street or intersecting highway or  
17 within 50 feet of a "stop" sign in a school zone during hours when  
18 school is in session.

19

20 3. This act shall take effect on the first day of the third month  
21 following enactment.

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23

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#### STATEMENT

25

26 This bill gives municipalities the authority to set certain  
27 permissible parking distances. Under current law, a person is  
28 required to leave 25 feet between their motor vehicle and a  
29 crosswalk or the side line of a street or intersecting highway. A  
30 person is required to leave 50 feet between their motor vehicle and  
31 a "stop" sign. The bill would allow a municipality to change these  
32 distances by ordinance; however, under the terms of the bill, a  
33 municipality would not be able to change permissible parking  
34 distances in school zones when school is in session. The purpose of  
35 this bill is to address parking shortages.