

ASSEMBLY, No. 1716

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Co-Sponsored by:

Assemblywomen Tucker, Downey and Assemblyman Benson

SYNOPSIS

Allows primary caregiver of handicapped person and person with autism to apply for and use handicapped parking.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/27/2020)

1 **AN ACT** concerning handicapped parking and amending P.L.1977,
2 c.309 and supplementing chapter 4 of Title 39 of the Revised
3 Statutes.

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

7
8 1. Section 1 of P.L.1977, c.309 (C.39:4-197.6) is amended to
9 read as follows:

10 1. Any municipality may, by ordinance, establish a restricted
11 parking zone in front of a residence occupied by a person with a
12 disability if a windshield placard or wheelchair symbol license
13 plates have been issued for a vehicle owned by the person with a
14 disability, or by another occupant of the residence who is the
15 primary caregiver or a member of the immediate family of the
16 person with a disability, by the New Jersey Motor Vehicle
17 Commission pursuant to the provisions of P.L.1949, c.280 (C.39:4-
18 204 et seq.), provided such parking is not otherwise prohibited and
19 the permitting thereof would not interfere with the normal flow of
20 traffic.
21 (cf: P.L.2017, c.131, s.158)

22
23 2. (New section) a. The Chief Administrator of the New
24 Jersey Motor Vehicle Commission shall issue, at the expense of the
25 State of New Jersey, person with autism identification cards upon
26 the application of a parent or primary caregiver of a person with
27 autism, and after due investigation of the qualifying status of the
28 person with autism. The card shall identify the person with autism
29 and the registration number of the vehicle for which the parent or
30 primary caregiver of a person with autism has a placard issued
31 under the provisions of section 3 of P.L. , c. (C.)(pending
32 before the Legislature as this bill). The card shall state that the
33 person with autism is a person with a disability validly qualified
34 hereunder to receive the card, that the card is for the exclusive use
35 of the person with autism and the person's parent or primary
36 caregiver to whom it has been duly issued, is nontransferable and
37 shall be forfeited if presented by any other person. The card also
38 shall state that any abuse of any privilege, benefit, precedence or
39 consideration granted to any person to whom the card may be
40 issued will be sufficient cause for revocation of the card and the
41 corresponding windshield placard, and the same may be forfeited or
42 revoked accordingly, and in the absence of any such forfeiture or
43 revocation the card shall be valid until the last day of the 36th
44 calendar month following the calendar month in which that card
45 was issued.

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 b. Every application for the issuance or renewal of a person
2 with autism identification card shall contain a statement signed by a
3 physician, physician assistant, or nurse practitioner licensed to
4 practice in this State or a bordering state or a physician stationed at
5 a military or naval installation located in this State who is licensed
6 to practice in any state, certifying that the person with autism is
7 qualified to meet the definition of “person with an intellectual
8 disability” pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

9 c. In order to be approved, the application for a person with
10 autism identification card shall be submitted to the commission not
11 more than 60 days following the date upon which a physician,
12 physician assistant, or nurse practitioner certifies that the person
13 meets the definition of “person with an intellectual disability”
14 pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

15 d. The application also shall include any additional information
16 pertinent to the certification which the chief administrator, in the
17 chief administrator's discretion, may require, including, but not
18 limited to, the National Provider Identifier or state-issued licensing
19 number of the physician, physician assistant, or nurse practitioner
20 who certifies a person's eligibility pursuant to subsection c. of this
21 section.

22
23 3. (New section) a. The chief administrator also shall issue to
24 an applicant who is a parent or primary caregiver of a person with
25 autism a windshield placard, of a size and design as determined by
26 the chief administrator in consultation with the Division of
27 Disability Services in the Department of Human Services,
28 indicating that a person with autism identification card has been
29 issued to the parent or primary caregiver of the person, as
30 designated in the application. The windshield placard shall be
31 displayed in a manner as determined by the chief administrator on
32 the motor vehicle used to transport the person with autism, when
33 the vehicle is parked overtime or in special parking places
34 established for use by persons with disabilities.

35 b. If issued in conjunction with a person with autism
36 identification card pursuant to section 2 of P.L. , c. (C.)
37 (pending before the Legislature as this bill), the windshield placard
38 shall be valid until the last day of the 36th calendar month
39 following the calendar month in which the placard was issued.

40 If the windshield placard is issued following the date on which
41 the chief administrator issued the applicant a person with autism
42 identification card pursuant to section 2 of P.L. , c. (C.)
43 (pending before the Legislature as this bill), then the windshield
44 placard shall be valid up until the date on which the person with
45 autism identification card is deemed invalid.

46 Any windshield placard issued by the chief administrator shall
47 display, in a clearly visible manner, the date on which it shall
48 become invalid. The placard may be renewed upon application in

1 accordance with the requirements of P.L. , c. (C.) (pending
2 before the Legislature as this bill).

3 Any windshield placard issued prior to the effective date of
4 P.L. , c. (C.)(pending before the Legislature as this bill) shall
5 be deemed invalid on the last day of the 36th calendar month
6 following the calendar month in which such effective date occurs.
7 The chief administrator may recall any placard deemed invalid
8 pursuant to this subsection.

9 c. A parent or primary caregiver of a person with autism may
10 be eligible to be issued a license plate bearing the national
11 wheelchair symbol, pursuant to subsection a. of section 3 of
12 P.L.1949, c.280 (C.39:4-206).

13

14 4. This act shall take effect on the first day of the seventh
15 month next following the date of enactment, but the Chief
16 Administrator of the New Jersey Motor Vehicle Commission may
17 take any anticipatory administrative action in advance thereof as
18 shall be necessary for the implementation of this act.

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21 STATEMENT

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23 This bill provides that parents and primary caregivers of persons
24 with autism may be issued identification cards and corresponding
25 windshield placards that entitle holders to handicapped parking
26 privileges.

27 The bill provides that the Chief Administrator of the New Jersey
28 Motor Vehicle Commission (MVC) may issue, at the expense of the
29 State of New Jersey, person with autism identification cards upon
30 the application of a parent or primary caregiver of a person with
31 autism, and after investigation of the qualifying status of the person
32 with autism. The card would state that it is for the exclusive use of
33 the person with autism and the person's parent or primary caregiver
34 to whom it has been issued, is nontransferable, and will be forfeited
35 if presented by any other person, and that any abuse will be
36 sufficient cause for revocation and forfeiture.

37 The chief administrator would also issue to an applicant who is a
38 parent or primary caregiver of a person with autism a windshield
39 placard. The windshield placard would be displayed in a manner as
40 determined by the chief administrator on the motor vehicle used to
41 transport the person with autism, when the vehicle is parked
42 overtime or in special parking places established for use by persons
43 with disabilities. Any windshield placard issued would display the
44 date on which it would become invalid.

45 The bill further clarifies that a person who is the primary
46 caregiver, in addition to a person who is an immediate family
47 member, of a handicapped person would be entitled to park in a
48 restricted parking zone in front of a residence occupied by a

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- 1 handicapped person, if such parking is permitted by the
- 2 municipality.