# ASSEMBLY, No. 2289

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

**Sponsored by:**
**Assemblyman WILLIAM F. MOEN**
**District 5 (Camden and Gloucester)**
**Assemblyman DANIEL R. BENSON**
**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**
**Assemblywoman Timberlake**

**SYNOPSIS**

Permits qualified person with post-traumatic stress disorder to obtain handicapped parking placard.

**CURRENT VERSION OF TEXT**

As introduced.

**(Sponsorship Updated As Of: 2/13/2020)**

**AN ACT** concerning handicapped parking and amending P.L.1949, c.280.

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

1. Section 1 of P.L.1949, c.280 (C.39:4-204) is amended to read as follows:

1. The phrase "person with a disability" means:

a. any person who has lost the use of one or more limbs as a consequence of paralysis, amputation, or other permanent disability or who has a permanent disability as to be unable to ambulate without the aid of an assisting device or whose mobility is otherwise limited as certified by a physician with a plenary license to practice medicine and surgery in this State or a bordering State; a podiatrist licensed to practice in this State or a bordering state; a physician stationed at a military or naval installation located in this State who is licensed to practice in any state; a chiropractic physician licensed to practice in this State or a bordering state; a physician assistant licensed to practice in this State or a bordering state; or a nurse practitioner licensed to practice in this State or a bordering state; **[**or**]**

b. any citizen and resident of this State honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States who is adjudicated by the United States Department of Veterans Affairs, or its successor, as being permanently 100 percent disabled; or

c. any person diagnosed with post-traumatic stress disorder, as certified by a psychiatrist or psychologist licensed in this State or a bordering state, or a psychiatrist or psychologist stationed at a military or naval installation located in this State who is licensed to practice in any state.

(cf: P.L.2017, c.166, s.1)

2. Section 2 of P.L.1949, c.280 (C.39:4-205) is amended to read as follows:

2. The Chief Administrator of the New Jersey Motor Vehicle Commission shall issue, at the expense of the State of New Jersey, person with a disability identification cards upon the application of qualifying persons with disabilities and after an investigation of the qualifying status of each applicant. The card shall, amongst other things, identify the persons with disabilities and the registration number of the vehicle for which any wheelchair symbol license plates have been issued under the provisions of section 3 of P.L.1949, c.280 (C.39:4-206) and shall state that he is a person with a disability validly qualified to receive a card, that the card is for the exclusive use of the person to whom it has been duly issued, is

**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.**

nontransferable and will be forfeited if presented by any other person, and that any abuse of any privilege, benefit, precedence, or consideration granted to any person to whom the card may be issued will be sufficient cause for revocation of the card, corresponding windshield placard and wheelchair symbol license plates, and the same may be forfeited or revoked accordingly, and in the absence of forfeiture or revocation the card shall be valid until the last day of the 36th calendar month following the calendar month in which that card was issued.

Every application for the issuance or renewal of a person with a disability identification card shall contain a statement signed by a physician, podiatrist, chiropractic physician, physician assistant, **[**or**]** nurse practitioner, psychiatrist, or psychologist licensed to practice in this State or a bordering state or a physician, psychiatrist, or psychologist stationed at a military or naval installation located in this State who is licensed to practice in any state, certifying that the applicant's stated disability qualifies the applicant to meet the definition of "person with a disability" pursuant to section 1 of P.L.1949, c.280 (C.39:4-204). A person who qualifies as a veteran with a permanent disability pursuant to subsection b. of section 1 of P.L.1949, c.280 (C.39:4-204) may submit, in lieu of a statement signed by a certified medical professional, an application that contains a statement signed by a representative of the United States Department of Veterans Affairs certifying that the person is permanently 100 percent disabled.

In order to be approved, the application for a person with a disability identification card shall be submitted to the commission not more than 60 days following the date upon which a physician, podiatrist, chiropractic physician, physician assistant, nurse practitioner, **[**or**]** representative of the United States Department of Veterans Affairs, psychiatrist, or psychologist certifies that the applicant meets the definition of "person with a disability" pursuant to section 1 of P.L.1949, c.280 (C.39:4-204). The application shall also include any additional information pertinent to the certification which the chief administrator, in the chief administrator's discretion, may require, including, but not limited to, the National Provider Identifier or state-issued licensing number of the physician, podiatrist, chiropractic physician, physician assistant, **[**or**]** nurse practitioner, psychiatrist, or psychologist who certifies the applicant's eligibility for a person with a disability identification card.

(cf: P.L.2017, c.166, s.2)

3. Section 3 of P.L.1949, c.280 (C.39:4-206) is amended to read as follows:

3. The chief administrator shall issue to **[**such**]** an applicant, also, a placard of **[**such**]** a size and design as shall be determined

by the chief administrator in consultation with the Division of Vocational Rehabilitation Services in the Department of Labor and Workforce Development and the Division of Disability Services in the Department of Human Services, indicating that a person with a disability identification card has been issued to the person designated therein, which shall be displayed in ⟦such⟧ a manner as the chief administrator shall determine on the motor vehicle used to transport the person with a disability, when the vehicle is parked overtime or in special parking places established for use by persons with disabilities. If issued in conjunction with a person with a disability identification card pursuant to section 2 of P.L.1949, c.280 (C.39:4-205), the placard issued pursuant to this paragraph shall be valid until the last day of the 36th calendar month following the calendar month in which ⟦such⟧ the placard was issued. If the placard is issued following the date on which the chief administrator issued the applicant a person with a disability identification card pursuant to section 2 of P.L.1949, c.280 (C.39:4-205), then that placard shall be valid up until the date on which the person with a disability identification card is deemed invalid. Any placard issued by the chief administrator shall display, in a clearly visible manner, the date on which it shall become invalid. The placard may be renewed upon application in accordance with the requirements of this chapter.

Any placard issued prior to the effective date of P.L.2013, c.3 shall be deemed invalid on the last day of the 36th calendar month following the calendar month in which ⟦such⟧ the effective date occurs. The chief administrator may recall any placard deemed invalid pursuant to this section.

Notwithstanding any provision of P.L.1949, c.280 (C.39:4-204 et seq.) to the contrary, the chief of police of each municipality in this State shall issue a temporary placard of not more than six months' duration to any person who (1) has temporarily lost the use of one or more limbs or has a temporary disability as to be unable to ambulate without the aid of an assisting device or whose mobility is otherwise temporarily limited, as certified by a physician with a plenary license to practice medicine and surgery in this State or a bordering state; a podiatrist licensed to practice in this State or a bordering state; a physician stationed at a military or naval installation located in this State who is licensed to practice in any state; a chiropractic physician licensed to practice in this State or a bordering state; a physician assistant licensed to practice in this State or a bordering state; or a nurse practitioner licensed to practice in this State or a bordering state , or (2) any person diagnosed with post-traumatic stress disorder, as certified by a psychiatrist or psychologist licensed in this State or a bordering state or a psychiatrist or psychologist stationed at a military or naval installation located in this State who is licensed to practice in any state. Each temporary placard issued under the provisions of this

section shall display, in a clearly visible manner, the date on which it shall become invalid.

The temporary placard shall be granted upon written certification by a physician with a plenary license to practice medicine and surgery in this State or a bordering state; a podiatrist licensed to practice in this State or a bordering state; a physician stationed at a military or naval installation located in this State who is licensed to practice in any state; a chiropractic physician licensed to practice in this State or a bordering state **[**,**]** ; a physician assistant licensed to practice in this State or a bordering state; **[**or**]** a nurse practitioner licensed to practice in this State or a bordering state; a psychiatrist or psychologist licensed in this State or a bordering state; or a psychiatrist or psychologist stationed at a military or naval installation located in this State who is licensed to practice in any state that the person meets the conditions constituting temporary disability as provided in this section. This certification shall be provided on a standard form to be developed by the chief administrator in consultation with local chiefs of police and representatives of persons with disabilities. The form shall contain only those conditions constituting temporary disability as are provided in this section. The physical presence of the person with a disability shall not be required for the issuance of a temporary placard.

The temporary placard may be renewed one time at the discretion of the issuing authority for a period of not more than six months' duration. The placard shall be displayed on the motor vehicle used by the person with a temporary disability and shall give the person the right to park overtime or to use special parking places established for use by persons with disabilities in any municipality of this State.

The fee for the issuance of a temporary placard issued pursuant to this section shall be $4.00 and payable to the New Jersey Motor Vehicle Commission. **[**No**]** A fee shall not be charged for the issuance of a permanent placard issued pursuant to this section.

The chief administrator may, in addition, issue license plates bearing the national wheelchair symbol for:

a. Not more than two motor vehicles owned, operated or leased by a person with a disability or by any person furnishing transportation on his behalf; or

b. Any two motorcycles owned, operated or leased by a person with a disability.

(cf: P.L.2013, c.3, s.3)

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

STATEMENT

This bill would permit a person diagnosed with post-traumatic stress disorder (PTSD) to obtain a handicapped parking placard.

To qualify for the handicapped parking placard, a psychiatrist or psychologist licensed in this State or a bordering state, or a psychiatrist or psychologist stationed at a military or naval installation located in New Jersey who is licensed to practice in any state, would certify the person's diagnosis of PTSD.