

ASSEMBLY, No. 3685

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Allows municipality to establish reserved parking zone on property adjacent to disabled person's residence.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning parking reserved for persons with a disability
2 and amending P.L.1977, c.309.

3

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

6

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

9 1. **【Any】** The governing body of a municipality may**【,** by
10 ordinance,**】** establish , by ordinance, a restricted parking zone in
11 front of a residence occupied by a person with a disability if a
12 windshield placard or wheelchair symbol license plates have been
13 issued by the chief administrator pursuant to P.L.1949, c.280
14 (C.39:4-204 et seq.) for a vehicle owned by the person with a
15 disability, or by another occupant of the residence who is a member
16 of the immediate family of the person with a disability**【,** by the
17 New Jersey Motor Vehicle Commission pursuant to the provisions
18 of P.L.1949, c.280 (C.39:4-204 et seq.)**】**, provided such parking is
19 not otherwise prohibited and the permitting thereof would not
20 interfere with the normal flow of traffic. If the governing body
21 determines that establishing a restricted parking zone in front of the
22 residence occupied by a person with a disability is prohibited by
23 law or would interfere with the flow of traffic, the governing body
24 may establish, by ordinance, a restricted parking zone in front of
25 property located directly adjacent to the residence occupied by a
26 person with a disability, upon receiving written consent from the
27 adjacent property owner. The chief administrator shall prescribe a
28 standard consent form which may be submitted by an adjacent
29 property owner to the governing body prior to the establishment of
30 a restricted parking zone.

31 Each standard consent form shall expire two years from the date
32 of approval by the chief administrator, or upon the sale of the
33 adjacent property by the owner, whichever occurs earlier, at which
34 time the restricted parking zone may be converted to regular
35 parking. Upon expiration, the adjacent property owner may request
36 that the restricted parking zone remain in front of the adjacent
37 property by renewing the standard consent form every two years in
38 the same manner and subject to the same conditions as in the case
39 of the original application.

40 (cf: P.L.2017, c.131, s.158)

41

42 2. This act shall take effect on the first day of the fourth month
43 following enactment, but the chief administrator may take any
44 anticipatory administrative action in advance thereof as shall be
45 necessary for the implementation of this act.

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.

STATEMENT

1
2
3 Under current law, municipalities are authorized to establish
4 restricted parking zones in front of the home of a resident with a
5 disability who has been issued a wheel chair license plate or
6 hanging placard. This bill permits a municipality to establish a
7 restricted parking zone in front of a neighboring residence if the
8 placement of a parking zone in front of the disabled resident's home
9 is prohibited by law or would interfere with the flow of traffic. The
10 municipality is required to receive the neighboring property
11 owner's consent prior to establishing the parking zone.
12 The bill requires the Chief Administrator of the New Jersey
13 Motor Vehicle Commission to prescribe a standard consent form
14 which may be submitted by the neighboring property owner to the
15 governing body prior to the establishment of a restricted parking
16 zone. The consent form is set to expire every two years from the
17 date of approval by the chief administrator or upon the sale of the
18 adjacent property, at which time the restricted parking zone may be
19 converted back to regular parking. The bill grants the adjacent
20 property owner the option to renew the consent form and reinstate
21 the restricted parking zone every two years.
22 In addition this bill amends section 1 of P.L.1977, c.309 (C.39:4-
23 197.6) to replace the outdated term "handicapped" with the
24 preferred phrase, "person with a disability."