

ASSEMBLY, No. 5102

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

Sponsored by:
Assemblyman PARKER SPACE
District 24 (Morris, Sussex and Warren)

SYNOPSIS

Provides certain retirees from public police departments with right to hawk, peddle and vend.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the hawking, peddling and vending of certain
2 goods and amending R.S.45:24-9 and R.S.45:24-10.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.45:24-9 is amended to read as follows:

8 45:24-9. The following persons shall have the right to hawk,
9 peddle and vend any goods, wares or merchandise or solicit trade
10 within this State, by procuring a license for that purpose to be
11 issued in the manner and under the conditions hereinafter in this
12 article prescribed, except, however, the aforesaid right to hawk,
13 peddle and vend any goods, wares or merchandise or solicit trade
14 shall not extend to or include any public beach or public boardwalk:

15 a. Every person who has been honorably discharged or
16 discharged under honorable conditions from the active military
17 service of the United States, who is a resident of this State.

18 b. Every exempt member of a volunteer fire department,
19 volunteer fire engine, hook and ladder, hose, supply company or
20 salvage corps, of any municipality or fire district in this State, who
21 holds an exemption certificate issued to him as an exempt member
22 of any such department, company or corps, and who is a resident of
23 this State.

24 c. Every person who has retired from a public police
25 department in this State and who is a resident of this State. For
26 purposes of this subsection, “public police department” means any
27 police department or organization of a municipality, county or park,
28 or the State, or any agency thereof having employees engaged in
29 performing police services.

30 Hawking, peddling and vending hereafter may be regulated by
31 municipal ordinance on public streets and highways.

32 (cf: P.L.2019, c.221, s.1)

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34 2. R.S.45:24-10 is amended to read as follows:

35 45:24-10. In the case of an exempt fireman, on the presentation
36 to the clerk of the county in which such person may be or resides of
37 such certificate of exemption, the clerk shall issue without cost to
38 such exempt fireman a license certifying him to be entitled to the
39 benefits of this article.

40 In the case a person who has been honorably discharged from the
41 active military service of the United States, on the presentation to
42 the clerk of the county in which such person resides of an
43 application sworn to by said applicant together with a certificate of
44 honorable discharge from the active military service of the United
45 States, which application shall also set forth that the applicant has

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 resided within the State for at least six months and in the county at
2 least three months immediately preceding his application for
3 license, the county clerk shall forward a copy of such application to
4 the adjutant general of the State for permanent record. The adjutant
5 general, upon receipt of such copy, shall notify the county clerk
6 whether or not such applicant has theretofore been a licensee and
7 whether or not such license has been canceled. If the applicant has
8 not previously held a license, or if it has been more than one year
9 since the cancellation of the license previously held by the
10 applicant, the county clerk shall issue to the applicant a license
11 entitling him to the benefits of this article; except that the clerk may
12 deny the application where the provisions of P.L. 1968, c.282
13 (C.2A:168A-1 et seq.) or P.L.1974, c.161 (C.2A:168A-4 et seq.) are
14 applicable.

15 In the case of person who has retired from a public police
16 department as defined in subsection c. of R.S.45:24-9, on the
17 presentation to the clerk of the county in which that person resides,
18 the clerk shall issue without cost to that retired police officer a
19 license certifying the person to be entitled to the benefits of this
20 article.

21 (cf: P.L.1984, c.194, s.2)

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23 3. This act shall take effect immediately.

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STATEMENT

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28 This bill provides that a person who has retired from a public
29 police department in this State and who is a resident of this State
30 shall have the right to hawk, peddle and vend any goods, wares or
31 merchandise by procuring a license from the county clerk of the
32 county where that person resides without cost.

33 Currently, a license to hawk, peddle and vend may be granted to
34 those persons who have been honorably discharged or discharged
35 under honorable conditions from the active military service and
36 exempt members of a volunteer fire department, volunteer fire
37 engine, hook and ladder, hose, supply company or salvage corps, of
38 any municipality or fire district in this State.