ASSEMBLY, No. 5155

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 16, 2020

Sponsored by:
Assemblyman HAROLD "HAL" J. WIRTHS
District 24 (Morris, Sussex and Warren)
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District 14 (Mercer and Middlesex)
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District 24 (Morris, Sussex and Warren)

Co-Sponsored by:
Assemblywoman Chaparro

SYNOPSIS

Establishes that “100 percent Disabled Veterans” are not required to submit to MVC certain documentation to renew parking privileges.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 1/4/2021)

AN ACT concerning parking for persons with a disability and amending P.L.1949, c.280.

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

1. 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 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 licensed to practice in this State or a bordering state or a physician 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 <u>initial</u> 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. <u>A person who qualifies as a veteran with a permanent disability shall not be required to resubmit the statement</u>

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 <u>thus</u> is new matter.

issued by a representative of the United States Department of Veteran Affairs with a renewal application.

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 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 who certifies the applicant's eligibility for a person with a disability identification card.

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

2. This act shall take effect on the first day of the third month next following enactment, except the Chief Administrator of the Motor Vehicle Commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

This bill clarifies that a military veteran who is 100 percent disabled is required to submit to the Motor Vehicle Commission (MVC) a statement from the Department of Veterans Affairs certifying that he or she is 100 percent disabled on the initial application for disability parking privileges, but not on subsequent renewal applications.

Under federal law, a veteran rendered permanently disabled by a service-connected injury may receive from the United States Department of Veterans Affairs a 100 percent disability rating, which entitles the veteran to certain unemployment, health care, and educational benefits. New Jersey allows these military veterans to receive a disability identification card, placard, and license plates by submitting to the MVC a statement from the Department of Veterans Affairs certifying that they are 100 percent disabled. A military veteran who qualifies as being 100 percent disabled is not required to submit an application signed by a medical professional.

Under this bill, military veterans with a 100 percent disability rating would be required to submit the Department of Veterans Affairs statement on the initial application for parking privileges, but not on subsequent renewal applications.