

SENATE, No. 1597

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

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.1949, c.280 (C.39:4-204) is amended to
8 read as follows:

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

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

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

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

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

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

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

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 a disability validly qualified to receive a card, that the card is for
2 the exclusive use of the person to whom it has been duly issued, is
3 nontransferable and will be forfeited if presented by any other
4 person, and that any abuse of any privilege, benefit, precedence, or
5 consideration granted to any person to whom the card may be
6 issued will be sufficient cause for revocation of the card,
7 corresponding windshield placard and wheelchair symbol license
8 plates, and the same may be forfeited or revoked accordingly, and
9 in the absence of forfeiture or revocation the card shall be valid
10 until the last day of the 36th calendar month following the calendar
11 month in which that card was issued.

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

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

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

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

1 3. The chief administrator shall issue to **【such】** an applicant,
2 also, a placard of **【such】** a size and design as shall be determined
3 by the chief administrator in consultation with the Division of
4 Vocational Rehabilitation Services in the Department of Labor and
5 Workforce Development and the Division of Disability Services in
6 the Department of Human Services, indicating that a person with a
7 disability identification card has been issued to the person
8 designated therein, which shall be displayed in **【such】** a manner as
9 the chief administrator shall determine on the motor vehicle used to
10 transport the person with a disability, when the vehicle is parked
11 overtime or in special parking places established for use by persons
12 with disabilities. If issued in conjunction with a person with a
13 disability identification card pursuant to section 2 of P.L.1949,
14 c.280 (C.39:4-205), the placard issued pursuant to this paragraph
15 shall be valid until the last day of the 36th calendar month
16 following the calendar month in which **【such】** the placard was
17 issued. If the placard is issued following the date on which the
18 chief administrator issued the applicant a person with a disability
19 identification card pursuant to section 2 of P.L.1949, c.280 (C.39:4-
20 205), then that placard shall be valid up until the date on which the
21 person with a disability identification card is deemed invalid. Any
22 placard issued by the chief administrator shall display, in a clearly
23 visible manner, the date on which it shall become invalid. The
24 placard may be renewed upon application in accordance with the
25 requirements of this chapter.

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

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

1 psychiatrist or psychologist stationed at a military or naval
2 installation located in this State who is licensed to practice in any
3 state. Each temporary placard issued under the provisions of this
4 section shall display, in a clearly visible manner, the date on which
5 it shall become invalid.

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

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

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

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

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

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

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

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47 4. This act shall take effect on the first day of the seventh
48 month next following the date of enactment, but the Chief

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1 Administrator of the New Jersey Motor Vehicle Commission may
2 take any anticipatory administrative action in advance thereof as
3 shall be necessary for the implementation of this act.

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STATEMENT

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

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