SENATE, No. 2230

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator PATRICK J. DIEGNAN, JR.
District 18 (Middlesex)
Senator NICHOLAS J. SACCO
District 32 (Bergen and Hudson)

SYNOPSIS

Allows primary caregiver of handicapped person and person with autism to apply for and use handicapped parking.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning handicapped parking and amending P.L.1977, c.309 and supplementing chapter 4 of Title 39 of the Revised Statutes.

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

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

1. Any municipality may, by ordinance, establish a restricted parking zone in front of a residence occupied by a person with a disability if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the person with a disability, or by another occupant of the residence who is the primary caregiver or a member of the immediate family of the person with a disability, by the New Jersey Motor Vehicle Commission pursuant to the provisions of P.L.1949, c.280 (C.39:4-204 et seq.), provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic.

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

2. (New section) a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall issue, at the expense of the State of New Jersey, person with autism identification cards upon the application of a parent or primary caregiver of a person with autism, and after due investigation of the qualifying status of the person with autism. The card shall identify the person with autism and the registration number of the vehicle for which the parent or primary caregiver of a person with autism has a placard issued under the provisions of section 3 of P.L. , c. (C.)(pending before the Legislature as this bill). The card shall state that the person with autism is a person with a disability validly qualified hereunder to receive the card, that the card is for the exclusive use of the person with autism and the person's parent or primary caregiver to whom it has been duly issued, is nontransferable and shall be forfeited if presented by any other person. The card also shall state 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 and the corresponding windshield placard, and the same may be forfeited or revoked accordingly, and in the absence of any such 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.

b. Every application for the issuance or renewal of a person with autism identification card shall contain a statement signed by a 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 person with autism is qualified to meet the definition of "person with an intellectual disability" pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

c. In order to be approved, the application for a person with autism identification card shall be submitted to the commission not more than 60 days following the date upon which a physician, physician assistant, or nurse practitioner certifies that the person meets the definition of "person with an intellectual disability" pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

d. The application also shall 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, physician assistant, or nurse practitioner who certifies a person's eligibility pursuant to subsection c. of this section.

3. (New section) a. The chief administrator also shall issue to an applicant who is a parent or primary caregiver of a person with autism a windshield placard, of a size and design as determined by the chief administrator in consultation with the Division of Disability Services in the Department of Human Services, indicating that a person with autism identification card has been issued to the parent or primary caregiver of the person, as designated in the application. The windshield placard shall be displayed in a manner as determined by the chief administrator on the motor vehicle used to transport the person with autism, when the vehicle is parked overtime or in special parking places established for use by persons with disabilities.

b. If issued in conjunction with a person with autism identification card pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature as this bill), the windshield placard shall be valid until the last day of the 36th calendar month following the calendar month in which the placard was issued.

If the windshield placard is issued following the date on which the chief administrator issued the applicant a person with autism identification card pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature as this bill), then the windshield placard shall be valid up until the date on which the person with autism identification card is deemed invalid.

Any windshield 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 P.L. , c. (C.) (pending before the Legislature as this bill).

Any windshield placard issued prior to the effective date of P.L. , c. (C.)(pending before the Legislature as this bill) shall be deemed invalid on the last day of the 36th calendar month following the calendar month in which such effective date occurs. The chief administrator may recall any placard deemed invalid pursuant to this subsection.

c. A parent or primary caregiver of a person with autism may be eligible to be issued a license plate bearing the national wheelchair symbol, pursuant to subsection a. of section 3 of P.L.1949, c.280 (C.39:4-206).

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 provides that parents and primary caregivers of persons with autism may be issued identification cards and corresponding windshield placards that entitle holders to handicapped parking privileges.

The bill provides that the Chief Administrator of the New Jersey Motor Vehicle Commission (MVC) may issue, at the expense of the State of New Jersey, person with autism identification cards upon the application of a parent or primary caregiver of a person with autism, and after investigation of the qualifying status of the person with autism. The card would state that it is for the exclusive use of the person with autism and the person's parent or primary caregiver to whom it has been issued, is nontransferable, and will be forfeited if presented by any other person, and that any abuse will be sufficient cause for revocation and forfeiture.

The chief administrator would also issue to an applicant who is a parent or primary caregiver of a person with autism a windshield placard. The windshield placard would be displayed in a manner as determined by the chief administrator on the motor vehicle used to transport the person with autism, when the vehicle is parked overtime or in special parking places established for use by persons with disabilities. Any windshield placard issued would display the date on which it would become invalid.

The bill further clarifies that a person who is the primary caregiver, in addition to a person who is an immediate family member, of a handicapped person would be entitled to park in a restricted parking zone in front of a residence occupied by a handicapped person, if such parking is permitted by the municipality.