[First Reprint]

SENATE, No. 3705

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:
Senator KRISTIN M. CORRADO
District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Prohibits person from leaving shopping cart in parking space reserved for persons with disabilities; imposes fine.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on December 6, 2021, with amendments.

AN ACT concerning [1]**[**handicap**]**[1] parking spaces [1]restricted for use by persons with disabilities[1], supplementing Title 39 of the Revised Statutes, and amending R.S.39:4-198.

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

1. a. (New section) A person shall not place a shopping cart in a parking space which[1]**[**, pursuant to R.S.39:4-197,**]**[1] has been designated as a restricted space [1], pursuant to R.S.39:4-197 or section 1 of P.L.1977, c.202 (C.39:4-197.5),[1] for use by persons with disabilities who have been issued special vehicle identification cards by the New Jersey Motor Vehicle Commission pursuant to the provisions of P.L.1949, c.280 (C.39:4-204 et seq.) [1]**[**and section 1 of P.L.1977, c.202 (C.39:4-197.5)**]**[1].

b. Any person who places a shopping cart in a restricted parking space in violation of subsection a. of this section shall be liable to a fine of $250.

c. As used in this section, "shopping cart" means [1]**[**those**]** a[1] push [1]**[**carts**]** carts[1] of the type or types which are commonly provided by grocery stores, drug stores, or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and, incidentally, from the stores to a place outside the store.

2. R.S.39:4-198 is amended to read as follows:

39:4-198. No ordinance, resolution[1],[1] or regulation enacted, passed, or adopted by local authorities nor any regulation adopted by the Commissioner of Transportation under any power given by this chapter or any supplement thereto shall be effective unless due notice thereof is given to the public by placing a sign at the places where the ordinance, resolution, or regulation is effective, and by briefing its provisions on signs according to specifications contained in this chapter or as specified by the current Manual on Uniform Traffic Control Devices for streets and highways. These signs shall be so placed as to be easily read by pedestrians or operators of vehicles. Except, in the case of "No Passing" zones, in lieu of or in addition to signs, notice shall be given to the public by highway pavement markings which conform to the current Manual on Uniform Traffic Control Devices for streets and highways.

In addition to the specifications in the Manual on Uniform Traffic Control Devices, any sign erected after the effective date of P.L.1989, c.201 to notify the public that [1]a[1] parking [1]**[**in a**]**[1] space is reserved for persons with disabilities **[**shall**]** [1]shall[1] also

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.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Senate STR committee amendments adopted December 6, 2021.

¹[shall]¹ state the penalties set forth in paragraph c. of subsection (3) of R.S.39:4-197 which may be imposed for a violation.

In addition ¹to the specifications in the Manual on Uniform Traffic Control Devices¹, any sign erected after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) to notify the public that ¹a¹ parking ¹[in a]¹ space is reserved for persons with disabilities shall also state the penalties for placing a shopping cart in a reserved space pursuant to ¹section 1 of¹ P.L. , c. (C.) (pending before the legislature as this bill). Signs which were erected prior to the effective [date] dates shall be modified within 12 months after the effective [date] dates to include the penalty information for parking in a reserved space and for placing a shopping cart in a reserved space.

It shall not be a defense to the unauthorized use of a parking space reserved for persons with disabilities pursuant to R.S.39:4-138 that the penalties set forth in paragraph c. of subsection (3) of R.S.39:4-197 were not posted or were improperly posted.

As used in this section, "shopping cart" shall have the same meaning as set forth in section 1 of P.L. , c. (C.) (pending before the Legislature as this bill).

(cf: P.L.2017, c.131, s.165)

3. This act shall take effect immediately.