

39:4-197.2; 39:4-201

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:4-197.2; 39:4-201 (Handicapped parking--municipality may designate spaces on county roads)

LAWS 1980 CHAPTER 143

Bill No. A1219

Sponsor(s) Girgenti

Date Introduced Feb. 28, 1980

Committee: Assembly Municipal Government

Senate Transportation and Communications

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly May 1, 1980

Senate Sept. 29, 1980

Date of approval November 12, 1980

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Note: A.515 enacted as L.1980, c.178.

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6/22/81

ASSEMBLY, No. 1219

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 28, 1980

By Assemblyman GIRGENTI

Referred to Committee on Municipal Government

AN ACT concerning the regulation of traffic and parking on county roads and amending P. L. 1957, c. 69 and R. S. 39:4-201.

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

1 1. Section 1 of P. L. 1957, c. 69 (C. 39:4-197.2) is amended to
2 read as follows:

3 1. Any municipality, which maintains a paid police force, may,
4 *by ordinance, resolution, or regulation, pursuant to R. S. 39:4-197*
5 *and with the consent of the [board of chosen freeholders] govern-*
6 *ing body of the county, [by ordinance,] regulate traffic and park-*
7 *ing along and upon any county road or part thereof, lying within*
8 *its corporate limits, in the same manner and to the same extent*
9 *that it is authorized by law to regulate the same upon municipal*
10 *roads and streets.*

1 2. R. S. 39:4-201 is amended to read as follows:

2 39:4-201. No [board of chosen freeholders] *governing body* of
3 any county in this State may adopt resolutions or ordinances on a
4 matter covered by or which alters or in any way nullifies the pro-
5 visions of this chapter or of any supplement thereto except that
6 ordinances or resolutions may be passed by a [board of chosen free-
7 holders] *governing body* for the supervision and regulation of
8 traffic on any county roads of the county upon the subject matters
9 and within the limitations prescribed in section 39:4-197 of this
10 Title, [without distinction as to whether such action is taken by
11 ordinance or resolution,] and *the governing body* may prescribe
12 penalties for violations of the resolutions or ordinances.

13 *Matters pertaining to the supervision and regulation of traffic*
14 *to be established by ordinance or resolution pursuant to R. S.*
15 *39:4-197, shall in counties operating under the "Optional County*
16 *Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.) be established*
17 *by ordinance.*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

18 No [such] ordinance or resolution *adopted pursuant to this sec-*
19 *tion* shall be effective unless due notice to the public is given as
20 provided in section 39:4-198 of this Title.

21 The penalties may be enforced by the proper method of pro-
22 cedure before a magistrate. In default of the payment of the
23 penalty, the magistrate may commit the offender to the county jail
24 for a period not exceeding 5 days.

1 3. This act shall take effect immediately.

STATEMENT

This bill would have the effect of permitting a municipality, by resolution or regulation rather than by the costly ordinance procedure currently required, to establish parking spaces for handicapped persons on county roads lying within municipal corporate limits. The consent of the county governing body to any such action shall continue to be required. Taken in conjunction with a companion measure, Assembly Bill No. 515 of 1980, it would significantly streamline procedures under which a municipality regulates parking for the handicapped. The bill also bring the amended sections of law into conformity with the "Optional County Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.).

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1219

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: APRIL 21, 1980

On February 11 this committee reported Assembly Bill No. 515 permitting municipalities by resolution or regulation (rather than by costly ordinance procedures) to establish parking spaces for handicapped persons. This bill, which is the product of the discussion at that committee meeting, permits a municipality to do the same for handicapped parking on those county roads lying within municipal limits.

Counties presently may regulate parking on county roads without the complications entailed in municipal ordinance procedures.

The committee amended the bill to impose a minimum \$50.00 fine on persons violating an ordinance, resolution or regulation concerning handicapped parking on county roads lying within municipal limits.

ASSEMBLY COMMITTEE AMENDMENT TO

ASSEMBLY, No. 1219

STATE OF NEW JERSEY

ADOPTED APRIL 21, 1980

Amend page 1, section 2, line 12, after "ordinances", insert "provided, however, that a fine of not less than \$50.00 be imposed upon the violator of an ordinance, resolution, or regulation, as the case may be, establishing parking spaces for the handicapped".

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1219
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: MAY 19, 1980

This legislation allows any municipality, which maintains a paid police force and has the consent of the governing body of the county, to regulate traffic and parking along and upon any county road lying within its corporate limits. Such regulation shall be to the same extent and in the same manner as it regulates municipal roads and streets.

This legislation further allows any county governing body to prescribe a fine of not less than \$50.00 for any violator of an ordinance, resolution or regulation establishing parking spaces for the handicapped.

CHAPTER *143* LAWS OF N. J. 19*80*
APPROVED *11-12-80*

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 1219

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 28, 1980

By Assemblyman GIRGENTI

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9 and within the limitations prescribed in section 39:4-197 of this
10 Title, [without distinction as to whether such action is taken by
11 ordinance or resolution,] *and the governing body* may prescribe
12 penalties for violations of the resolutions or ordinances **provided,*
12A *however, that a fine of not less than \$50.00 be imposed upon the*
12B *violation of an ordinance, resolution, or regulation, as the case may*
12C *be, establishing parking spaces for the handicapped*.*

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NOVEMBER 12, 1980

- 2 -

A-977, sponsored by Assemblyman Martin Herman (D-Gloucester) which requires local boards of adjustment to respond within 45 days of inquiry as to whether a proposed land use will be permitted under the municipal zoning ordinance.

Prior statutes were unclear as to the time frame within which the board had to render decisions.

A-1219, also sponsored by Assemblyman Girgenti, which permits a municipality, by resolution or regulation, to establish parking spaces for handicapped persons on county roads lying within municipal corporate limits.

The bill mandates a \$50 fine for violations of county ordinances, resolutions or regulations establishing parking spaces for the handicapped.

A-1226, sponsored by Assemblyman Cary Edwards (R-Bergen) which permits school boards to make purchases of up to \$4,500 instead of \$2,500 without advertising for bids.

The change makes the school district bidding threshold consistent with the bidding threshold for municipalities and counties under the Local Public Contracts Law of 1979.

A-1433, sponsored by Assemblyman Karl Weidel (R-Mercer) which amends current statutes to permit local government units to contract for dental coverage for their employees in a group insurance plan.

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