

39:1-1 and 39:4-138

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2025 **CHAPTER:** 155

NJSA: 39:1-1 and 39:4-138, Prohibits certain vehicles from parking in electric vehicle charging spaces under certain circumstances.

BILL NO: A3035 (Substituted for S4134 (1R))

SPONSOR(S) Calabrese, Clinton and others

DATE INTRODUCED: 1/9/2024

COMMITTEE: **ASSEMBLY:** Transportation & Independent Authorities
Public Safety & Preparedness

SENATE: Transportation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: 06/30/2025

SENATE: 06/02/2025

DATE OF APPROVAL: 11/13/2025

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (A3035 AcaSca (2R) enacted)

ADVANCE LAW Yes

PAMPHLET LAW Yes

A3035

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): Yes ATR 9/19/24 1R
STR 3/17/25 2R

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT:	ASSEMBLY:	Yes	Transportation & Independent Authorities Public Safety & Preparedness
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SENATE: Yes Transportation

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S4134 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): Yes STR 3/17/25 1R

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

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FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

LEGISLATOR STATEMENT: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

CL/MMcB

P.L. 2025, CHAPTER 155, *approved November 13, 2025*
Assembly, No. 3035 (*Second Reprint*)

1 AN ACT concerning ¹**parking reserved for charging plug-in electric**
2 **vehicles** electric vehicle charging spaces¹ and amending
3 R.S.39:1-1 and R.S.39:4-138.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. R.S.39:1-1 is amended to read as follows:

9 39:1-1. As used in this subtitle, unless other meaning is clearly
10 apparent from the language or context, or unless inconsistent with the
11 manifest intention of the Legislature:

12 "Alley" means a public highway wherein the roadway does not
13 exceed 12 feet in width.

14 "Authorized emergency vehicles" means vehicles of the fire
15 department, police vehicles and such ambulances and other vehicles as
16 are approved by the chief administrator when operated in response to
17 an emergency call.

18 "Autocycle" means a three-wheeled motorcycle designed to be
19 controlled with a steering wheel and pedals in which the operator and
20 passenger may ride in a completely or partially enclosed seating area
21 that is equipped with a roll cage or roll hoops, safety seat belts for each
22 occupant, and anti-lock brakes.

23 "Automobile" includes all motor vehicles except motorcycles.

24 "Berm" means that portion of the highway exclusive of roadway
25 and shoulder, bordering the shoulder but not to be used for vehicular
26 travel.

27 "Business district" means that portion of a highway and the
28 territory contiguous thereto, where within any 600 feet along such
29 highway there are buildings in use for business or industrial purposes,
30 including but not limited to hotels, banks, office buildings, railroad
31 stations, and public buildings which occupy at least 300 feet of
32 frontage on one side or 300 feet collectively on both sides of the
33 roadway.

34 "Car pool" means two or more persons commuting on a daily basis
35 to and from work by means of a vehicle with a seating capacity of nine
36 passengers or less.

37 "Chief Administrator" or "Administrator" means the Chief
38 Administrator of the New Jersey Motor Vehicle Commission.

39 "Commercial motor vehicle" includes every type of motor-driven
40 vehicle used for commercial purposes on the highways, such as the

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:

¹Assembly ATR committee amendments adopted September 19, 2024.

²Senate STR committee amendments adopted March 17, 2025.

1 transportation of goods, wares and merchandise, excepting such
2 vehicles as are run only upon rails or tracks and vehicles of the
3 passenger car type used for touring purposes or the carrying of farm
4 products and milk, as the case may be.

5 "Commission" means the New Jersey Motor Vehicle Commission
6 established by section 4 of P.L.2003, c.13 (C.39:2A-4).

7 "Commissioner" means the Commissioner of Transportation of
8 this State.

9 "Commuter van" means a motor vehicle having a seating capacity
10 of not less than seven nor more than 15 adult passengers, in which
11 seven or more persons commute on a daily basis to and from work and
12 which vehicle may also be operated by the driver or other designated
13 persons for their personal use.

14 "Crosswalk" means that part of a highway at an intersection, either
15 marked or unmarked existing at each approach of every roadway
16 intersection, included within the connections of the lateral lines of the
17 sidewalks on opposite sides of the highway measured from the curbs
18 or, in the absence of curbs, from the edges of the shoulder, or, if none,
19 from the edges of the roadway; also, any portion of a highway at an
20 intersection or elsewhere distinctly indicated for pedestrian crossing by
21 lines or other marking on the surface.

22 "Curb extension" or "bulbout" means a horizontal extension of the
23 sidewalk into the street which results in a narrower roadway section.

24 "Dealer" includes every person actively engaged in the business of
25 buying, selling or exchanging motor vehicles or motorcycles and who
26 has an established place of business.

27 "Deputy Chief Administrator" means the deputy chief
28 administrator of the commission.

29 "Driver" means the rider or driver of a horse, bicycle or motorcycle
30 or the driver or operator of a motor vehicle, unless otherwise specified.

31 "Electric vehicle charging 'location' space" means a publicly
32 accessible 'parking' charging space or set of 'parking' charging
33 spaces, with visible signage indicating that the 'parking' charging
34 space or spaces are available for use by the public for charging plug-in
35 electric vehicles.

36 "Explosives" means any chemical compound or mechanical
37 mixture that is commonly used or intended for the purpose of
38 producing an explosion and which contains any oxidizing and
39 combustive units or other ingredients in such proportions, quantities or
40 packing that an ignition by fire, friction, by concussion, by percussion,
41 or by detonator of any part of the compound or mixture may cause
42 such a sudden generation of highly heated gases that the resultant
43 gaseous pressures are capable of producing destructive effects on
44 contiguous objects or of destroying life or limb.

45 "Farm tractor" means every motor vehicle designed and used
46 primarily as a farm implement for drawing plows, mowing machines,
47 and other implements of husbandry.

- 1 "Flammable liquid" means any liquid having a flash point below
2 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
3 pounds.
- 4 "Gross weight" means the combined weight of a vehicle and a load
5 thereon.
- 6 "High occupancy vehicle" or "HOV" means a vehicle which is
7 used to transport two or more persons and shall include public
8 transportation, car pool, van pool, and other vehicles as determined by
9 regulation of the Department of Transportation.
- 10 "Highway" means the entire width between the boundary lines of
11 every way publicly maintained when any part thereof is open to the
12 use of the public for purposes of vehicular travel.
- 13 "Horse" includes mules and all other domestic animals used as
14 draught animals or beasts of burden.
- 15 "Inside lane" means the lane nearest the center line of the roadway.
- 16 "Intersection" means the area embraced within the prolongation of
17 the lateral curb lines or, if none, the lateral boundary lines of two or
18 more highways which join one another at an angle, whether or not one
19 such highway crosses another.
- 20 "Laned roadway" means a roadway which is divided into two or
21 more clearly marked lanes for vehicular traffic.
- 22 "Leased limousine" means any limousine subject to regulation in
23 the State which:
- 24 a. Is offered for rental or lease, without a driver, to be operated by
25 a limousine service as the lessee, for the purpose of carrying
26 passengers for hire; and
- 27 b. Is leased or rented for a period of one year or more following
28 registration.
- 29 "Leased motor vehicle" means any motor vehicle subject to
30 registration in this State which:
- 31 a. Is offered for rental or lease, without a driver, to be operated by
32 the lessee, his agent or servant, for purposes other than the
33 transportation of passengers for hire; and
- 34 b. Is leased or rented for a period of one year or more following
35 registration.
- 36 "Limited-access highway" means every highway, street, or
37 roadway in respect to which owners or occupants of abutting lands and
38 other persons have no legal right of access to or from the same except
39 at such points only and in such manner as may be determined by the
40 public authority having jurisdiction over such highway, street, or
41 roadway; and includes any highway designated as a "freeway" or
42 "parkway" by authority of law.
- 43 "Local authorities" means every county, municipal and other local
44 board or body having authority to adopt local police regulations under
45 the Constitution and laws of this State, including every county
46 governing body with relation to county roads.
- 47 "Low-speed electric bicycle" means a two or three-wheeled vehicle
48 with fully operable pedals and an electric motor of less than 750 watts,

1 that meets the requirements of one of the following classifications:
2 "class 1 low-speed electric bicycle" which means a low-speed electric
3 bicycle equipped with a motor that provides assistance only when the
4 rider is pedaling, and that ceases to provide assistance when the
5 bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed
6 electric bicycle" which means a low-speed electric bicycle equipped
7 with a motor that may be used exclusively to propel the bicycle, and
8 that is not capable of providing assistance when the bicycle reaches the
9 speed of 20 miles per hour.

10 "Low-speed electric scooter" means a scooter with a floorboard
11 that can be stood upon by the operator, with handlebars, and an electric
12 motor that is capable of propelling the device with or without human
13 propulsion at a maximum speed of less than 19 miles per hour.

14 "Low-speed vehicle" means a four-wheeled low-speed vehicle, as
15 defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than
16 20 miles per hour but not more than 25 miles per hour on a paved level
17 surface and which is not powered by gasoline or diesel fuel and
18 complies with federal safety standards as set forth in 49 C.F.R.
19 s.571.500.

20 "Magistrate" means any municipal court and the Superior Court,
21 and any officer having the powers of a committing magistrate and the
22 chief administrator.

23 "Manufacturer" means a person engaged in the business of
24 manufacturing or assembling motor vehicles, who will, under normal
25 business conditions during the year, manufacture or assemble at least
26 10 new motor vehicles.

27 "Metal tire" means every tire the surface of which in contact with
28 the highway is wholly or partly of metal or other hard nonresilient
29 material.

30 "Mid-block crosswalk" means a crosswalk located away from an
31 intersection, distinctly indicated by lines or markings on the surface.

32 "Motorized bicycle" means a pedal bicycle having a helper motor
33 characterized in that either the maximum piston displacement is less
34 than 50 cc. or said motor is rated at no more than 1.5 brake horsepower
35 or is powered by an electric drive motor and said bicycle is capable of
36 a maximum speed of no more than 25 miles per hour on a flat surface
37 or a pedal bicycle having an electric motor that is capable of propelling
38 the bicycle in excess of 20 miles per hour with a maximum motor-
39 powered speed of no more than 28 miles per hour on a flat surface.
40 This term shall not include a low-speed electric bicycle or low-speed
41 electric scooter as defined in this section.

42 "Motorcycle" includes motorcycles, autocycles, motor bikes,
43 bicycles with motor attached and all motor-operated vehicles of the
44 bicycle or tricycle type, except motorized bicycles, low-speed electric
45 bicycles, and low-speed electric scooters as defined in this section,
46 whether the motive power be a part thereof or attached thereto and
47 having a saddle or seat with driver sitting astride or upon it or a
48 platform on which the driver stands.

1 "Motor-drawn vehicle" includes trailers, semitrailers, or any other
2 type of vehicle drawn by a motor-driven vehicle.

3 "Motor vehicle" includes all vehicles propelled otherwise than by
4 muscular power, excepting such vehicles as run only upon rails or
5 tracks, low-speed electric bicycles, low-speed electric scooters, and
6 motorized bicycles.

7 "Motorized scooter" means a miniature motor vehicle and
8 includes, but is not limited to, pocket bikes, super pocket bikes,
9 scooters, mini-scooters, sport scooters, mini choppers, mini
10 motorcycles, motorized skateboards and other vehicles with motors
11 not manufactured in compliance with Federal Motor Vehicle Safety
12 Standards and which have no permanent Federal Safety Certification
13 stickers affixed to the vehicle by the original manufacturer. This term
14 shall not include: electric personal assistive mobility devices,
15 motorized bicycles, low-speed vehicles, low-speed electric bicycles, or
16 low-speed electric scooters; or motorized wheelchairs, mobility
17 scooters or similar mobility assisting devices used by persons with
18 physical disabilities, or persons whose ambulatory mobility has been
19 impaired by age or illness.

20 "Motorized skateboard" means a skateboard that is propelled
21 otherwise than by muscular power.

22 "Motorized wheelchair" means any motor-driven wheelchair
23 utilized to increase the independent mobility, in the activities of daily
24 living, of an individual who has limited or no ambulation abilities, and
25 includes mobility scooters manufactured specifically for such purposes
26 and designed primarily for indoor use.

27 "Noncommercial truck" means every motor vehicle designed
28 primarily for transportation of property, and which is not a
29 "commercial vehicle."

30 "Official traffic control devices" means all signs, signals,
31 markings, and devices not inconsistent with this subtitle placed or
32 erected by authority of a public body or official having jurisdiction for
33 the purpose of regulating, warning, or guiding traffic.

34 "Omnibus" includes all motor vehicles used for the transportation
35 of passengers for hire, except commuter vans and vehicles used in
36 ridesharing arrangements and school buses, if the same are not
37 otherwise used in the transportation of passengers for hire.

38 "Operator" means a person who is in actual physical control of a
39 vehicle or street car.

40 "Outside lane" means the lane nearest the curb or outer edge of the
41 roadway.

42 "Owner" means a person who holds the legal title of a vehicle, or if
43 a vehicle is the subject of an agreement for the conditional sale or
44 lease thereof with the right of purchase upon performance of the
45 conditions stated in the agreement and with an immediate right of
46 possession vested in the conditional vendee or lessee, or if a mortgagor
47 of a vehicle is entitled to possession, then the conditional vendee,

1 lessee or mortgagor shall be deemed the owner for the purpose of this
2 subtitle.

3 "Parking" means the standing or waiting on a street, road or
4 highway of a vehicle not actually engaged in receiving or discharging
5 passengers or merchandise, unless in obedience to traffic regulations
6 or traffic signs or signals.

7 "Passenger automobile" means all automobiles used and designed
8 for the transportation of passengers, other than omnibuses and school
9 buses.

10 "Pedestrian" means a person afoot.

11 "Person" includes natural persons, firms, copartnerships,
12 associations, and corporations.

13 ²"Plug-in electric vehicle" means a vehicle that has a battery, or an
14 equivalent energy storage device, that can be charged from an
15 electricity supply external to the vehicle with an electric plug. This
16 term includes a plug-in hybrid electric vehicle.

17 "Plug-in hybrid electric vehicle" means a vehicle that can be
18 charged from a source of electricity external to the vehicle through an
19 electric plug, but is not exclusively powered by electricity.²

20 "Pneumatic tire" means every tire in which compressed air is
21 designed to support the load.

22 "Pole trailer" means every vehicle without motive power designed
23 to be drawn by another vehicle and attached to the towing vehicle by
24 means of a reach, or pole, or by being boomed or otherwise secured to
25 the towing vehicle, and ordinarily used for transporting long or
26 irregularly shaped loads, such as poles, pipes, or structural members
27 capable, generally, of sustaining themselves as beams between the
28 supporting connections.

29 "Private road or driveway" means every road or driveway not open
30 to the use of the public for purposes of vehicular travel.

31 "Railroad train" means a steam engine, electric or other motor,
32 with or without cars coupled thereto, operated upon rails, except street
33 cars.

34 "REAL ID basic driver's license" means a basic driver's license
35 issued by the commission that complies with the provisions of the
36 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
37 supplementary thereto, and any federal regulations adopted thereunder.

38 "REAL ID identification card" means an identification card issued
39 by the commission that complies with the provisions of the "REAL ID
40 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
41 thereto, and any federal regulations adopted thereunder.

42 "REAL ID license" means any license to operate a motor vehicle
43 issued by the commission that complies with the provisions of the
44 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
45 supplementary thereto, and any federal regulations adopted thereunder.

46 "REAL ID motorcycle license" means a motorcycle license issued
47 by the commission that complies with the provisions of the "REAL ID

1 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
2 thereto, and any federal regulations adopted thereunder.

3 "REAL ID probationary license" means a probationary license
4 issued by the commission that complies with the provisions of the
5 "REAL ID Act of 2005," ²~~【P.L.109-13】~~ Pub.L.109-13², any acts
6 amendatory or supplementary thereto, and any federal regulations
7 adopted thereunder.

8 "Recreation vehicle" means a self-propelled or towed vehicle
9 equipped to serve as temporary living quarters for recreational,
10 camping or travel purposes and used solely as a family or personal
11 conveyance.

12 "Residence district" means that portion of a highway and the
13 territory contiguous thereto, not comprising a business district, where
14 within any 600 feet along such highway there are buildings in use for
15 business or residential purposes which occupy 300 feet or more of
16 frontage on at least one side of the highway.

17 "Ridesharing" means the transportation of persons in a motor
18 vehicle, with a maximum carrying capacity of not more than 15
19 passengers, including the driver, where such transportation is
20 incidental to the purpose of the driver. The term shall include such
21 ridesharing arrangements known as car pools and van pools.

22 "Right-of-way" means the privilege of the immediate use of the
23 highway.

24 "Road tractor" means every motor vehicle designed and used for
25 drawing other vehicles and not so constructed as to carry any load
26 thereon either independently or any part of the weight of a vehicle or
27 load so drawn.

28 "Roadway" means that portion of a highway improved, designed,
29 or ordinarily used for vehicular travel, exclusive of the berm or
30 shoulder. In the event a highway includes two or more separate
31 roadways, the term "roadway" as used herein shall refer to any such
32 roadway separately, but not to all such roadways, collectively.

33 "Safety zone" means the area or space officially set aside within a
34 highway for the exclusive use of pedestrians, which is so plainly
35 marked or indicated by proper signs as to be plainly visible at all times
36 while set apart as a safety zone.

37 "School bus" means every motor vehicle operated by, or under
38 contract with, a public or governmental agency, or religious or other
39 charitable organization or corporation, or privately operated for the
40 transportation of children to or from school for secular or religious
41 education, which complies with the regulations of the New Jersey
42 Motor Vehicle Commission affecting school buses, including "School
43 Vehicle Type I" and "School Vehicle Type II" as defined below:

44 "School Vehicle Type I" means any vehicle designed to transport
45 16 or more passengers, including the driver, used to transport enrolled
46 children, and adults only when serving as chaperones, to or from a
47 school, school connected activity, day camp, summer day camp,
48 summer residence camp, nursery school, child care center, preschool

1 center or other similar places of education. Such vehicle shall comply
2 with the regulations of the New Jersey Motor Vehicle Commission and
3 either the Department of Education or the Department of Human
4 Services, whichever is the appropriate supervising agency.

5 "School Vehicle Type II" means any vehicle designed to transport
6 less than 16 passengers, including the driver, used to transport enrolled
7 children, and adults only when serving as chaperones, to or from a
8 school, school connected activity, day camp, summer day camp,
9 summer residence camp, nursery school, child care center, preschool
10 center or other similar places of education. Such vehicle shall comply
11 with the regulations of the New Jersey Motor Vehicle Commission and
12 either the Department of Education or the Department of Human
13 Services, whichever is the appropriate supervising agency.

14 "School zone" means that portion of a highway which is either
15 contiguous to territory occupied by a school building or is where
16 school crossings are established in the vicinity of a school, upon which
17 are maintained appropriate "school signs" in accordance with
18 specifications adopted by the chief administrator and in accordance
19 with law.

20 "School crossing" means that portion of a highway where school
21 children are required to cross the highway in the vicinity of a school.

22 "Semitrailer" means every vehicle with or without motive power,
23 other than a pole trailer, designed for carrying persons or property and
24 for being drawn by a motor vehicle and so constructed that some part
25 of its weight and that of its load rests upon or is carried by another
26 vehicle.

27 "Shipper" means any person who shall deliver, or cause to be
28 delivered, any commodity, produce or article for transportation as the
29 contents or load of a commercial motor vehicle. In the case of a sealed
30 ocean container, "shipper" shall not be construed to include any person
31 whose activities with respect to the shipment are limited to the
32 solicitation or negotiation of the sale, resale, or exchange of the
33 commodity, produce or article within that container.

34 "Shoulder" means that portion of the highway, exclusive of and
35 bordering the roadway, designed for emergency use but not ordinarily
36 to be used for vehicular travel.

37 "Sidewalk" means that portion of a highway intended for the use of
38 pedestrians, between the curb line or the lateral line of a shoulder, or if
39 none, the lateral line of the roadway and the adjacent right-of-way line.

40 "Sign." See "Official traffic control devices."

41 "Slow-moving vehicle" means a vehicle run at a speed less than
42 the maximum speed then and there permissible.

43 "Solid tire" means every tire of rubber or other resilient material
44 which does not depend upon compressed air for the support of the
45 load.

46 "Standard" means, when used to describe any license to operate a
47 motor vehicle or any identification card issued by the commission
48 under the provisions of this Title, that the issuance of the license or

1 identification card does not require proof of lawful presence in the
2 United States.

3 "Street" means the same as highway.

4 "Street car" means a car other than a railroad train, for transporting
5 persons or property and operated upon rails principally within a
6 municipality.

7 "Stop," when required, means complete cessation from movement.

8 "Stopping or standing," when prohibited, means any cessation of
9 movement of a vehicle, whether occupied or not, except when
10 necessary to avoid conflict with other traffic or in compliance with the
11 directions of a police officer or traffic control sign or signal.

12 "Suburban business or residential district" means that portion of
13 highway and the territory contiguous thereto, where within any 1,320
14 feet along that highway there is land in use for business or residential
15 purposes and that land occupies more than 660 feet of frontage on one
16 side or collectively more than 660 feet of frontage on both sides of that
17 roadway.

18 "Through highway" means every highway or portion thereof at the
19 entrances to which vehicular traffic from intersecting highways is
20 required by law to stop before entering or crossing the same and when
21 stop signs are erected as provided in this chapter.

22 "Trackless trolley" means every motor vehicle which is propelled
23 by electric power obtained from overhead trolley wires but not
24 operated upon rails.

25 "Traffic" means pedestrians, ridden or herded animals, vehicles,
26 street cars, and other conveyances either singly, or together, while
27 using any highway for purposes of travel.

28 "Traffic control signal" means a device, whether manually,
29 electrically, mechanically, or otherwise controlled, by which traffic is
30 alternately directed to stop and to proceed.

31 "Trailer" means every vehicle with or without motive power, other
32 than a pole trailer, designed for carrying persons or property and for
33 being drawn by a motor vehicle and so constructed that no part of its
34 weight rests upon the towing vehicle.

35 "Truck" means every motor vehicle designed, used, or maintained
36 primarily for the transportation of property.

37 "Truck tractor" means every motor vehicle designed and used
38 primarily for drawing other vehicles and not so constructed as to carry
39 a load other than a part of the weight of the vehicle and load so drawn.

40 "Van pooling" means seven or more persons commuting on a daily
41 basis to and from work by means of a vehicle with a seating
42 arrangement designed to carry seven to 15 adult passengers.

43 "Vehicle" means every device in, upon or by which a person or
44 property is or may be transported upon a highway, excepting devices
45 moved by human power or used exclusively upon stationary rails or
46 tracks or low-speed electric bicycles, low-speed electric scooters, or
47 motorized bicycles.

48 (cf: P.L.2022, c.16, s.2)

- 1 2. R.S.39:4-138 is amended to read as follows:
- 2 39:4-138. Except when necessary to avoid conflict with other
- 3 traffic or in compliance with the directions of a traffic or police
- 4 officer or traffic sign or signal, no operator of a vehicle shall stand
- 5 or park the vehicle in any of the following places:
- 6 a. Within an intersection;
- 7 b. On a crosswalk;
- 8 c. Between a safety zone and the adjacent curb or within at
- 9 least 20 feet of a point on the curb immediately opposite the end of
- 10 a safety zone;
- 11 d. In front of a public or private driveway;
- 12 e. (1) Within 25 feet of the nearest crosswalk or side line of a
- 13 street or intersecting highway, except at alleys and as provided in
- 14 section 2 of P.L.2009, c.257 (C.39:4-138.6); or
- 15 (2) Within 10 feet of the nearest crosswalk or side line of a
- 16 street or intersecting highway, if a curb extension or bulbout has
- 17 been constructed at that crosswalk;
- 18 f. On a sidewalk;
- 19 g. In any appropriately marked "No Parking" space established
- 20 pursuant to the duly promulgated regulations of the Commissioner
- 21 of Transportation;
- 22 h. Within 50 feet of a "stop" sign except as provided in section
- 23 2 of P.L.2009, c.257 (C.39:4-138.6);
- 24 i. Within 10 feet of a fire hydrant;
- 25 j. Within 50 feet of the nearest rail of a railroad crossing;
- 26 k. Within 20 feet of the driveway entrance to any fire station
- 27 and on the side of a street opposite the entrance to any fire station
- 28 within 75 feet of said entrance, when properly signposted;
- 29 l. Alongside or opposite any street excavation or obstruction
- 30 when stopping, standing, or parking would obstruct traffic, when
- 31 properly signposted;
- 32 m. On the roadway side of any vehicle stopped or parked at the
- 33 edge or curb of a street;
- 34 n. Upon any bridge or other elevated structure upon a highway,
- 35 or within a highway tunnel or underpass, or on the immediate
- 36 approaches thereto except where space for parking is provided;
- 37 o. In any space on public or private property appropriately
- 38 marked for vehicles for persons with disabilities pursuant to
- 39 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et
- 40 seq.) or any other applicable law unless the vehicle is authorized by
- 41 law to be parked therein and a person with a disability is either the
- 42 driver or a passenger in that vehicle. State, county, or municipal law
- 43 enforcement officers or parking enforcement authority officers shall
- 44 enforce the parking restrictions on spaces appropriately marked for
- 45 vehicles for persons with disabilities on both public and private
- 46 property;
- 47 p. In any ¹['space in an']¹ electric vehicle charging ¹['location']
- 48 space¹ if the vehicle is a non-electric vehicle ¹or is a plug-in electric

1 vehicle, including a battery electric vehicle or plug-in hybrid
2 electric vehicle, that is not actively charging¹ and where the
3 '[location] space' is clearly marked '1) as an electric vehicle
4 charging location, 2) as designated for electric vehicle charging
5 only, and 3) to indicate that violators are subject to a penalty'] with
6 signage and pavement markings indicating the space is reserved for
7 plug-in electric vehicles that are actively charging, which signage
8 and pavement markings shall be visible during the day and night.

9 An individual who violates the provisions of this subsection shall
10 be subject to a fine of \$55 for the first offense, \$100 for the second
11 offense, and \$200 for the third and each subsequent offense.
12 Towing of vehicles found to be in violation of this subsection shall
13 be at the discretion of the municipality in which the electric vehicle
14 charging space is located¹. ²In the event that a municipality
15 exercises its discretion to tow a vehicle pursuant to this subsection,
16 the registered owner or lessee of the vehicle shall be responsible for
17 all towing and storage costs.²

18 No person shall move a vehicle not lawfully under the person's
19 control into any such prohibited area or away from a curb such
20 distance as is unlawful.

21 (cf: P.L.2017, c.131, s.157)

22
23 3. This act shall take effect immediately.
24
25
26
27

28 Prohibits certain vehicles from parking in electric vehicle
29 charging spaces under certain circumstances.

CHAPTER 155

AN ACT concerning electric vehicle charging spaces and amending R.S.39:1-1 and R.S.39:4-138.

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

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

Definitions.

39:1-1. As used in this subtitle, unless other meaning is clearly apparent from the language or context, or unless inconsistent with the manifest intention of the Legislature:

"Alley" means a public highway wherein the roadway does not exceed 12 feet in width.

"Authorized emergency vehicles" means vehicles of the fire department, police vehicles and such ambulances and other vehicles as are approved by the chief administrator when operated in response to an emergency call.

"Autocycle" means a three-wheeled motorcycle designed to be controlled with a steering wheel and pedals in which the operator and passenger may ride in a completely or partially enclosed seating area that is equipped with a roll cage or roll hoops, safety seat belts for each occupant, and anti-lock brakes.

"Automobile" includes all motor vehicles except motorcycles.

"Berm" means that portion of the highway exclusive of roadway and shoulder, bordering the shoulder but not to be used for vehicular travel.

"Business district" means that portion of a highway and the territory contiguous thereto, where within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

"Car pool" means two or more persons commuting on a daily basis to and from work by means of a vehicle with a seating capacity of nine passengers or less.

"Chief Administrator" or "Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Commercial motor vehicle" includes every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

"Commission" means the New Jersey Motor Vehicle Commission established by section 4 of P.L.2003, c.13 (C.39:2A-4).

"Commissioner" means the Commissioner of Transportation of this State.

"Commuter van" means a motor vehicle having a seating capacity of not less than seven nor more than 15 adult passengers, in which seven or more persons commute on a daily basis to and from work and which vehicle may also be operated by the driver or other designated persons for their personal use.

"Crosswalk" means that part of a highway at an intersection, either marked or unmarked existing at each approach of every roadway intersection, included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the shoulder, or, if none, from the edges of the roadway; also, any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other marking on the surface.

"Curb extension" or "bulbout" means a horizontal extension of the sidewalk into the street which results in a narrower roadway section.

"Dealer" includes every person actively engaged in the business of buying, selling or exchanging motor vehicles or motorcycles and who has an established place of business.

"Deputy Chief Administrator" means the deputy chief administrator of the commission.

"Driver" means the rider or driver of a horse, bicycle or motorcycle or the driver or operator of a motor vehicle, unless otherwise specified.

"Electric vehicle charging space" means a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles.

"Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

"Flammable liquid" means any liquid having a flash point below 200 degrees Fahrenheit, and a vapor pressure not exceeding 40 pounds.

"Gross weight" means the combined weight of a vehicle and a load thereon.

"High occupancy vehicle" or "HOV" means a vehicle which is used to transport two or more persons and shall include public transportation, car pool, van pool, and other vehicles as determined by regulation of the Department of Transportation.

"Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"Horse" includes mules and all other domestic animals used as draught animals or beasts of burden.

"Inside lane" means the lane nearest the center line of the roadway.

"Intersection" means the area embraced within the prolongation of the lateral curb lines or, if none, the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses another.

"Laned roadway" means a roadway which is divided into two or more clearly marked lanes for vehicular traffic.

"Leased limousine" means any limousine subject to regulation in the State which:

Is offered for rental or lease, without a driver, to be operated by a limousine service as the lessee, for the purpose of carrying passengers for hire; and

Is leased or rented for a period of one year or more following registration.

"Leased motor vehicle" means any motor vehicle subject to registration in this State which:

Is offered for rental or lease, without a driver, to be operated by the lessee, his agent or servant, for purposes other than the transportation of passengers for hire; and

Is leased or rented for a period of one year or more following registration.

"Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway; and includes any highway designated as a "freeway" or "parkway" by authority of law.

"Local authorities" means every county, municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this State, including every county governing body with relation to county roads.

"Low-speed electric bicycle" means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

"Low-speed electric scooter" means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour.

"Low-speed vehicle" means a four-wheeled low-speed vehicle, as defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than 20 miles per hour but not more than 25 miles per hour on a paved level surface and which is not powered by gasoline or diesel fuel and complies with federal safety standards as set forth in 49 C.F.R. s.571.500.

"Magistrate" means any municipal court and the Superior Court, and any officer having the powers of a committing magistrate and the chief administrator.

"Manufacturer" means a person engaged in the business of manufacturing or assembling motor vehicles, who will, under normal business conditions during the year, manufacture or assemble at least 10 new motor vehicles.

"Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

"Mid-block crosswalk" means a crosswalk located away from an intersection, distinctly indicated by lines or markings on the surface.

"Motorized bicycle" means a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50 cc. or said motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle in excess of 20 miles per hour with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. This term shall not include a low-speed electric bicycle or low-speed electric scooter as defined in this section.

"Motorcycle" includes motorcycles, autocycles, motor bikes, bicycles with motor attached and all motor-operated vehicles of the bicycle or tricycle type, except motorized bicycles, low-speed electric bicycles, and low-speed electric scooters as defined in this section, whether the motive power be a part thereof or attached thereto and having a saddle or seat with driver sitting astride or upon it or a platform on which the driver stands.

"Motor-drawn vehicle" includes trailers, semitrailers, or any other type of vehicle drawn by a motor-driven vehicle.

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.

"Motorized scooter" means a miniature motor vehicle and includes, but is not limited to, pocket bikes, super pocket bikes, scooters, mini-scooters, sport scooters, mini choppers, mini motorcycles, motorized skateboards and other vehicles with motors not manufactured in

compliance with Federal Motor Vehicle Safety Standards and which have no permanent Federal Safety Certification stickers affixed to the vehicle by the original manufacturer. This term shall not include: electric personal assistive mobility devices, motorized bicycles, low-speed vehicles, low-speed electric bicycles, or low-speed electric scooters or motorized wheelchairs, mobility scooters, or similar mobility assisting devices used by persons with physical disabilities or persons whose ambulatory mobility has been impaired by age or illness.

"Motorized skateboard" means a skateboard that is propelled otherwise than by muscular power.

"Motorized wheelchair" means any motor-driven wheelchair utilized to increase the independent mobility, in the activities of daily living, of an individual who has limited or no ambulation abilities and includes mobility scooters manufactured specifically for such purposes and designed primarily for indoor use.

"Noncommercial truck" means every motor vehicle designed primarily for transportation of property and which is not a "commercial vehicle."

"Official traffic control devices" means all signs, signals, markings, and devices not inconsistent with this subtitle placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

"Omnibus" includes all motor vehicles used for the transportation of passengers for hire, except commuter vans and vehicles used in ridesharing arrangements and school buses if the same are not otherwise used in the transportation of passengers for hire.

"Operator" means a person who is in actual physical control of a vehicle or street car.

"Outside lane" means the lane nearest the curb or outer edge of the roadway.

"Owner" means a person who holds the legal title of a vehicle or if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee, or mortgagor shall be deemed the owner for the purpose of this subtitle.

"Parking" means the standing or waiting on a street, road, or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

"Passenger automobile" means all automobiles used and designed for the transportation of passengers, other than omnibuses and school buses.

"Pedestrian" means a person afoot.

"Person" includes natural persons, firms, copartnerships, associations, and corporations.

"Plug-in electric vehicle" means a vehicle that has a battery, or an equivalent energy storage device, that can be charged from an electricity supply external to the vehicle with an electric plug. This term includes a plug-in hybrid electric vehicle.

"Plug-in hybrid electric vehicle" means a vehicle that can be charged from a source of electricity external to the vehicle through an electric plug, but is not exclusively powered by electricity.

"Pneumatic tire" means every tire in which compressed air is designed to support the load.

"Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads, such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

"Private road or driveway" means every road or driveway not open to the use of the public for purposes of vehicular travel.

"Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

"REAL ID basic driver's license" means a basic driver's license issued by the commission that complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

"REAL ID identification card" means an identification card issued by the commission that complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

"REAL ID license" means any license to operate a motor vehicle issued by the commission that complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

"REAL ID motorcycle license" means a motorcycle license issued by the commission that complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

"REAL ID probationary license" means a probationary license issued by the commission that complies with the provisions of the "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or supplementary thereto, and any federal regulations adopted thereunder.

"Recreation vehicle" means a self-propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping, or travel purposes and used solely as a family or personal conveyance.

"Residence district" means that portion of a highway and the territory contiguous thereto, not comprising a business district, where within any 600 feet along such highway there are buildings in use for business or residential purposes which occupy 300 feet or more of frontage on at least one side of the highway.

"Ridesharing" means the transportation of persons in a motor vehicle, with a maximum carrying capacity of not more than 15 passengers, including the driver, where such transportation is incidental to the purpose of the driver. The term shall include such ridesharing arrangements known as car pools and van pools.

"Right-of-way" means the privilege of the immediate use of the highway.

"Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways, collectively.

"Safety zone" means the area or space officially set aside within a highway for the exclusive use of pedestrians, which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

"School bus" means every motor vehicle operated by, or under contract with, a public or governmental agency, or religious or other charitable organization or corporation, or privately operated for the transportation of children to or from school for secular or religious education, which complies with the regulations of the New Jersey Motor Vehicle Commission affecting school buses, including "School Vehicle Type I" and "School Vehicle Type II" as defined below:

"School Vehicle Type I" means any vehicle designed to transport 16 or more passengers, including the driver, used to transport enrolled children, and adults only when serving as chaperones, to or from a school, school-connected activity, day camp, summer day camp, summer residence camp, nursery school, child care center, preschool center, or other similar places of education. Such vehicle shall comply with the regulations of the New Jersey Motor Vehicle Commission and either the Department of Education or the Department of Human Services, whichever is the appropriate supervising agency.

"School Vehicle Type II" means any vehicle designed to transport less than 16 passengers, including the driver, used to transport enrolled children, and adults only when serving as chaperones, to or from a school, school-connected activity, day camp, summer day camp, summer residence camp, nursery school, child care center, preschool center, or other similar places of education. Such vehicle shall comply with the regulations of the New Jersey Motor Vehicle Commission and either the Department of Education or the Department of Human Services, whichever is the appropriate supervising agency.

"School zone" means that portion of a highway which is either contiguous to territory occupied by a school building or is where school crossings are established in the vicinity of a school, upon which are maintained appropriate "school signs" in accordance with specifications adopted by the chief administrator and in accordance with law.

"School crossing" means that portion of a highway where school children are required to cross the highway in the vicinity of a school.

"Semitrailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

"Shipper" means any person who shall deliver, or cause to be delivered, any commodity, produce, or article for transportation as the contents or load of a commercial motor vehicle. In the case of a sealed ocean container, "shipper" shall not be construed to include any person whose activities with respect to the shipment are limited to the solicitation or negotiation of the sale, resale, or exchange of the commodity, produce, or article within that container.

"Shoulder" means that portion of the highway, exclusive of and bordering the roadway, designed for emergency use but not ordinarily to be used for vehicular travel.

"Sidewalk" means that portion of a highway intended for the use of pedestrians between the curb line or the lateral line of a shoulder or, if none, the lateral line of the roadway and the adjacent right-of-way line.

"Sign." See "Official traffic control devices."

"Slow-moving vehicle" means a vehicle run at a speed less than the maximum speed then and there permissible.

"Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

"Standard" means, when used to describe any license to operate a motor vehicle or any identification card issued by the commission under the provisions of this Title, that the issuance of the license or identification card does not require proof of lawful presence in the United States.

"Street" means the same as highway.

"Street car" means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

"Stop," when required, means complete cessation from movement.

"Stopping or standing," when prohibited, means any cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

"Suburban business or residential district" means that portion of highway and the territory contiguous thereto, where within any 1,320 feet along that highway there is land in use for business or residential purposes and that land occupies more than 660 feet of frontage on one side or collectively more than 660 feet of frontage on both sides of that roadway.

"Through highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

"Trackless trolley" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

"Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly, or together, while using any highway for purposes of travel.

"Traffic control signal" means a device, whether manually, electrically, mechanically, or otherwise controlled, by which traffic is alternately directed to stop and to proceed.

"Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Van pooling" means seven or more persons commuting on a daily basis to and from work by means of a vehicle with a seating arrangement designed to carry seven to 15 adult passengers.

"Vehicle" means every device in, upon, or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or low-speed electric bicycles, low-speed electric scooters, or motorized bicycles.

2. R.S.39:4-138 is amended to read as follows:

Places where parking prohibited, exceptions; moving vehicle not under one's control into prohibited area.

39:4-138. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal, no operator of a vehicle shall stand or park the vehicle in any of the following places:

- a. Within an intersection;
- b. On a crosswalk;
- c. Between a safety zone and the adjacent curb or within at least 20 feet of a point on the curb immediately opposite the end of a safety zone;
- d. In front of a public or private driveway;
- e. (1) Within 25 feet of the nearest crosswalk or side line of a street or intersecting highway, except at alleys and as provided in section 2 of P.L.2009, c.257 (C.39:4-138.6); or
(2) Within 10 feet of the nearest crosswalk or side line of a street or intersecting highway, if a curb extension or bulbout has been constructed at that crosswalk;
- f. On a sidewalk;

g. In any appropriately marked "No Parking" space established pursuant to the duly promulgated regulations of the Commissioner of Transportation;

h. Within 50 feet of a "stop" sign except as provided in section 2 of P.L.2009, c.257 (C.39:4-138.6);

i. Within 10 feet of a fire hydrant;

j. Within 50 feet of the nearest rail of a railroad crossing;

k. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance, when properly signposted;

l. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic when properly signposted;

m. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

n. Upon any bridge or other elevated structure upon a highway, or within a highway tunnel or underpass, or on the immediate approaches thereto except where space for parking is provided;

o. In any space on public or private property appropriately marked for vehicles for persons with disabilities pursuant to P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et seq.), or any other applicable law unless the vehicle is authorized by law to be parked therein and a person with a disability is either the driver or a passenger in that vehicle. State, county, or municipal law enforcement officers or parking enforcement authority officers shall enforce the parking restrictions on spaces appropriately marked for vehicles for persons with disabilities on both public and private property;

p. In any electric vehicle charging space if the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging and where the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging, which signage and pavement markings shall be visible during the day and night.

An individual who violates the provisions of this subsection shall be subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Towing of vehicles found to be in violation of this subsection shall be at the discretion of the municipality in which the electric vehicle charging space is located. In the event that a municipality exercises its discretion to tow a vehicle pursuant to this subsection, the registered owner or lessee of the vehicle shall be responsible for all towing and storage costs.

No person shall move a vehicle not lawfully under the person's control into any such prohibited area or away from a curb such distance as is unlawful.

3. This act shall take effect immediately.

Approved November 13, 2025.

ASSEMBLY, No. 3035

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

SYNOPSIS

Prohibits non-electric vehicle from parking in electric vehicle charging location under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 9/19/2024)

1 **AN ACT** concerning parking reserved for charging plug-in electric
2 vehicles and amending R.S.39:1-1 and R.S.39:4-138.

3

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

6

7 1. R.S.39:1-1 is amended to read as follows:

8 39:1-1. As used in this subtitle, unless other meaning is
9 clearly apparent from the language or context, or unless inconsistent
10 with the manifest intention of the Legislature:

11 "Alley" means a public highway wherein the roadway does not
12 exceed 12 feet in width.

13 "Authorized emergency vehicles" means vehicles of the fire
14 department, police vehicles and such ambulances and other vehicles
15 as are approved by the chief administrator when operated in
16 response to an emergency call.

17 "Autocycle" means a three-wheeled motorcycle designed to be
18 controlled with a steering wheel and pedals in which the operator
19 and passenger may ride in a completely or partially enclosed seating
20 area that is equipped with a roll cage or roll hoops, safety seat belts
21 for each occupant, and anti-lock brakes.

22 "Automobile" includes all motor vehicles except motorcycles.

23 "Berm" means that portion of the highway exclusive of roadway
24 and shoulder, bordering the shoulder but not to be used for
25 vehicular travel.

26 "Business district" means that portion of a highway and the
27 territory contiguous thereto, where within any 600 feet along such
28 highway there are buildings in use for business or industrial
29 purposes, including but not limited to hotels, banks, office
30 buildings, railroad stations, and public buildings which occupy at
31 least 300 feet of frontage on one side or 300 feet collectively on
32 both sides of the roadway.

33 "Car pool" means two or more persons commuting on a daily
34 basis to and from work by means of a vehicle with a seating
35 capacity of nine passengers or less.

36 "Chief Administrator" or "Administrator" means the Chief
37 Administrator of the New Jersey Motor Vehicle Commission.

38 "Commercial motor vehicle" includes every type of motor-driven
39 vehicle used for commercial purposes on the highways, such as the
40 transportation of goods, wares and merchandise, excepting such
41 vehicles as are run only upon rails or tracks and vehicles of the
42 passenger car type used for touring purposes or the carrying of farm
43 products and milk, as the case may be.

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 "Commission" means the New Jersey Motor Vehicle
2 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
3 4).

4 "Commissioner" means the Commissioner of Transportation of
5 this State.

6 "Commuter van" means a motor vehicle having a seating
7 capacity of not less than seven nor more than 15 adult passengers,
8 in which seven or more persons commute on a daily basis to and
9 from work and which vehicle may also be operated by the driver or
10 other designated persons for their personal use.

11 "Crosswalk" means that part of a highway at an intersection,
12 either marked or unmarked existing at each approach of every
13 roadway intersection, included within the connections of the lateral
14 lines of the sidewalks on opposite sides of the highway measured
15 from the curbs or, in the absence of curbs, from the edges of the
16 shoulder, or, if none, from the edges of the roadway; also, any
17 portion of a highway at an intersection or elsewhere distinctly
18 indicated for pedestrian crossing by lines or other marking on the
19 surface.

20 "Curb extension" or "bulbout" means a horizontal extension of
21 the sidewalk into the street which results in a narrower roadway
22 section.

23 "Dealer" includes every person actively engaged in the business
24 of buying, selling or exchanging motor vehicles or motorcycles and
25 who has an established place of business.

26 "Deputy Chief Administrator" means the deputy chief
27 administrator of the commission.

28 "Driver" means the rider or driver of a horse, bicycle or
29 motorcycle or the driver or operator of a motor vehicle, unless
30 otherwise specified.

31 "Electric vehicle charging location" means a publicly accessible
32 parking space or set of parking spaces, with visible signage
33 designating that the parking space or spaces are available for use by
34 the public for charging plug-in electric vehicles.

35 "Explosives" means any chemical compound or mechanical
36 mixture that is commonly used or intended for the purpose of
37 producing an explosion and which contains any oxidizing and
38 combustive units or other ingredients in such proportions, quantities
39 or packing that an ignition by fire, friction, by concussion, by
40 percussion, or by detonator of any part of the compound or mixture
41 may cause such a sudden generation of highly heated gases that the
42 resultant gaseous pressures are capable of producing destructive
43 effects on contiguous objects or of destroying life or limb.

44 "Farm tractor" means every motor vehicle designed and used
45 primarily as a farm implement for drawing plows, mowing
46 machines, and other implements of husbandry.

- 1 "Flammable liquid" means any liquid having a flash point below
2 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
3 pounds.
- 4 "Gross weight" means the combined weight of a vehicle and a
5 load thereon.
- 6 "High occupancy vehicle" or "HOV" means a vehicle which is
7 used to transport two or more persons and shall include public
8 transportation, car pool, van pool, and other vehicles as determined
9 by regulation of the Department of Transportation.
- 10 "Highway" means the entire width between the boundary lines of
11 every way publicly maintained when any part thereof is open to the
12 use of the public for purposes of vehicular travel.
- 13 "Horse" includes mules and all other domestic animals used as
14 draught animals or beasts of burden.
- 15 "Inside lane" means the lane nearest the center line of the
16 roadway.
- 17 "Intersection" means the area embraced within the prolongation
18 of the lateral curb lines or, if none, the lateral boundary lines of two
19 or more highways which join one another at an angle, whether or
20 not one such highway crosses another.
- 21 "Laned roadway" means a roadway which is divided into two or
22 more clearly marked lanes for vehicular traffic.
- 23 "Leased limousine" means any limousine subject to regulation in
24 the State which:
- 25 a. Is offered for rental or lease, without a driver, to be operated
26 by a limousine service as the lessee, for the purpose of carrying
27 passengers for hire; and
- 28 b. Is leased or rented for a period of one year or more
29 following registration.
- 30 "Leased motor vehicle" means any motor vehicle subject to
31 registration in this State which:
- 32 a. Is offered for rental or lease, without a driver, to be operated
33 by the lessee, his agent or servant, for purposes other than the
34 transportation of passengers for hire; and
- 35 b. Is leased or rented for a period of one year or more
36 following registration.
- 37 "Limited-access highway" means every highway, street, or
38 roadway in respect to which owners or occupants of abutting lands
39 and other persons have no legal right of access to or from the same
40 except at such points only and in such manner as may be
41 determined by the public authority having jurisdiction over such
42 highway, street, or roadway; and includes any highway designated
43 as a "freeway" or "parkway" by authority of law.
- 44 "Local authorities" means every county, municipal and other
45 local board or body having authority to adopt local police
46 regulations under the Constitution and laws of this State, including
47 every county governing body with relation to county roads.

1 "Low-speed electric bicycle" means a two or three-wheeled
2 vehicle with fully operable pedals and an electric motor of less than
3 750 watts, that meets the requirements of one of the following
4 classifications: "class 1 low-speed electric bicycle" which means a
5 low-speed electric bicycle equipped with a motor that provides
6 assistance only when the rider is pedaling, and that ceases to
7 provide assistance when the bicycle reaches the speed of 20 miles
8 per hour; or "class 2 low-speed electric bicycle" which means a
9 low-speed electric bicycle equipped with a motor that may be used
10 exclusively to propel the bicycle, and that is not capable of
11 providing assistance when the bicycle reaches the speed of 20 miles
12 per hour.

13 "Low-speed electric scooter" means a scooter with a floorboard
14 that can be stood upon by the operator, with handlebars, and an
15 electric motor that is capable of propelling the device with or
16 without human propulsion at a maximum speed of less than 19
17 miles per hour.

18 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
19 as defined in 49 C.F.R. s.571.3(b), whose attainable speed is more
20 than 20 miles per hour but not more than 25 miles per hour on a
21 paved level surface and which is not powered by gasoline or diesel
22 fuel and complies with federal safety standards as set forth in 49
23 C.F.R. s.571.500.

24 "Magistrate" means any municipal court and the Superior Court,
25 and any officer having the powers of a committing magistrate and
26 the chief administrator.

27 "Manufacturer" means a person engaged in the business of
28 manufacturing or assembling motor vehicles, who will, under
29 normal business conditions during the year, manufacture or
30 assemble at least 10 new motor vehicles.

31 "Metal tire" means every tire the surface of which in contact with
32 the highway is wholly or partly of metal or other hard nonresilient
33 material.

34 "Mid-block crosswalk" means a crosswalk located away from an
35 intersection, distinctly indicated by lines or markings on the
36 surface.

37 "Motorized bicycle" means a pedal bicycle having a helper motor
38 characterized in that either the maximum piston displacement is less
39 than 50 cc. or said motor is rated at no more than 1.5 brake
40 horsepower or is powered by an electric drive motor and said
41 bicycle is capable of a maximum speed of no more than 25 miles
42 per hour on a flat surface or a pedal bicycle having an electric
43 motor that is capable of propelling the bicycle in excess of 20 miles
44 per hour with a maximum motor-powered speed of no more than 28
45 miles per hour on a flat surface. This term shall not include a low-
46 speed electric bicycle or low-speed electric scooter as defined in
47 this section.

1 "Motorcycle" includes motorcycles, autocycles, motor bikes,
2 bicycles with motor attached and all motor-operated vehicles of the
3 bicycle or tricycle type, except motorized bicycles, low-speed
4 electric bicycles, and low-speed electric scooters as defined in this
5 section, whether the motive power be a part thereof or attached
6 thereto and having a saddle or seat with driver sitting astride or
7 upon it or a platform on which the driver stands.

8 "Motor-drawn vehicle" includes trailers, semitrailers, or any
9 other type of vehicle drawn by a motor-driven vehicle.

10 "Motor vehicle" includes all vehicles propelled otherwise than by
11 muscular power, excepting such vehicles as run only upon rails or
12 tracks, low-speed electric bicycles, low-speed electric scooters, and
13 motorized bicycles.

14 "Motorized scooter" means a miniature motor vehicle and
15 includes, but is not limited to, pocket bikes, super pocket bikes,
16 scooters, mini-scooters, sport scooters, mini choppers, mini
17 motorcycles, motorized skateboards and other vehicles with motors
18 not manufactured in compliance with Federal Motor Vehicle Safety
19 Standards and which have no permanent Federal Safety
20 Certification stickers affixed to the vehicle by the original
21 manufacturer. This term shall not include: electric personal
22 assistive mobility devices, motorized bicycles, low-speed vehicles,
23 low-speed electric bicycles, or low-speed electric scooters; or
24 motorized wheelchairs, mobility scooters or similar mobility
25 assisting devices used by persons with physical disabilities, or
26 persons whose ambulatory mobility has been impaired by age or
27 illness.

28 "Motorized skateboard" means a skateboard that is propelled
29 otherwise than by muscular power.

30 "Motorized wheelchair" means any motor-driven wheelchair
31 utilized to increase the independent mobility, in the activities of
32 daily living, of an individual who has limited or no ambulation
33 abilities, and includes mobility scooters manufactured specifically
34 for such purposes and designed primarily for indoor use.

35 "Noncommercial truck" means every motor vehicle designed
36 primarily for transportation of property, and which is not a
37 "commercial vehicle."

38 "Official traffic control devices" means all signs, signals,
39 markings, and devices not inconsistent with this subtitle placed or
40 erected by authority of a public body or official having jurisdiction
41 for the purpose of regulating, warning, or guiding traffic.

42 "Omnibus" includes all motor vehicles used for the
43 transportation of passengers for hire, except commuter vans and
44 vehicles used in ridesharing arrangements and school buses, if the
45 same are not otherwise used in the transportation of passengers for
46 hire.

47 "Operator" means a person who is in actual physical control of a
48 vehicle or street car.

- 1 "Outside lane" means the lane nearest the curb or outer edge of
2 the roadway.
- 3 "Owner" means a person who holds the legal title of a vehicle, or
4 if a vehicle is the subject of an agreement for the conditional sale or
5 lease thereof with the right of purchase upon performance of the
6 conditions stated in the agreement and with an immediate right of
7 possession vested in the conditional vendee or lessee, or if a
8 mortgagor of a vehicle is entitled to possession, then the conditional
9 vendee, lessee or mortgagor shall be deemed the owner for the
10 purpose of this subtitle.
- 11 "Parking" means the standing or waiting on a street, road or
12 highway of a vehicle not actually engaged in receiving or
13 discharging passengers or merchandise, unless in obedience to
14 traffic regulations or traffic signs or signals.
- 15 "Passenger automobile" means all automobiles used and
16 designed for the transportation of passengers, other than omnibuses
17 and school buses.
- 18 "Pedestrian" means a person afoot.
- 19 "Person" includes natural persons, firms, copartnerships,
20 associations, and corporations.
- 21 "Pneumatic tire" means every tire in which compressed air is
22 designed to support the load.
- 23 "Pole trailer" means every vehicle without motive power
24 designed to be drawn by another vehicle and attached to the towing
25 vehicle by means of a reach, or pole, or by being boomed or
26 otherwise secured to the towing vehicle, and ordinarily used for
27 transporting long or irregularly shaped loads, such as poles, pipes,
28 or structural members capable, generally, of sustaining themselves
29 as beams between the supporting connections.
- 30 "Private road or driveway" means every road or driveway not
31 open to the use of the public for purposes of vehicular travel.
- 32 "Railroad train" means a steam engine, electric or other motor,
33 with or without cars coupled thereto, operated upon rails, except
34 street cars.
- 35 "REAL ID basic driver's license" means a basic driver's license
36 issued by the commission that complies with the provisions of the
37 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
38 supplementary thereto, and any federal regulations adopted
39 thereunder.
- 40 "REAL ID identification card" means an identification card
41 issued by the commission that complies with the provisions of the
42 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
43 supplementary thereto, and any federal regulations adopted
44 thereunder.
- 45 "REAL ID license" means any license to operate a motor vehicle
46 issued by the commission that complies with the provisions of the
47 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or

1 supplementary thereto, and any federal regulations adopted
2 thereunder.

3 "REAL ID motorcycle license" means a motorcycle license
4 issued by the commission that complies with the provisions of the
5 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
6 supplementary thereto, and any federal regulations adopted
7 thereunder.

8 "REAL ID probationary license" means a probationary license
9 issued by the commission that complies with the provisions of the
10 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
11 supplementary thereto, and any federal regulations adopted
12 thereunder.

13 "Recreation vehicle" means a self-propelled or towed vehicle
14 equipped to serve as temporary living quarters for recreational,
15 camping or travel purposes and used solely as a family or personal
16 conveyance.

17 "Residence district" means that portion of a highway and the
18 territory contiguous thereto, not comprising a business district,
19 where within any 600 feet along such highway there are buildings
20 in use for business or residential purposes which occupy 300 feet or
21 more of frontage on at least one side of the highway.

22 "Ridesharing" means the transportation of persons in a motor
23 vehicle, with a maximum carrying capacity of not more than 15
24 passengers, including the driver, where such transportation is
25 incidental to the purpose of the driver. The term shall include such
26 ridesharing arrangements known as car pools and van pools.

27 "Right-of-way" means the privilege of the immediate use of the
28 highway.

29 "Road tractor" means every motor vehicle designed and used for
30 drawing other vehicles and not so constructed as to carry any load
31 thereon either independently or any part of the weight of a vehicle
32 or load so drawn.

33 "Roadway" means that portion of a highway improved, designed,
34 or ordinarily used for vehicular travel, exclusive of the berm or
35 shoulder. In the event a highway includes two or more separate
36 roadways, the term "roadway" as used herein shall refer to any such
37 roadway separately, but not to all such roadways, collectively.

38 "Safety zone" means the area or space officially set aside within
39 a highway for the exclusive use of pedestrians, which is so plainly
40 marked or indicated by proper signs as to be plainly visible at all
41 times while set apart as a safety zone.

42 "School bus" means every motor vehicle operated by, or under
43 contract with, a public or governmental agency, or religious or other
44 charitable organization or corporation, or privately operated for the
45 transportation of children to or from school for secular or religious
46 education, which complies with the regulations of the New Jersey
47 Motor Vehicle Commission affecting school buses, including

1 "School Vehicle Type I" and "School Vehicle Type II" as defined
2 below:

3 "School Vehicle Type I" means any vehicle designed to transport
4 16 or more passengers, including the driver, used to transport
5 enrolled children, and adults only when serving as chaperones, to or
6 from a school, school connected activity, day camp, summer day
7 camp, summer residence camp, nursery school, child care center,
8 preschool center or other similar places of education. Such vehicle
9 shall comply with the regulations of the New Jersey Motor Vehicle
10 Commission and either the Department of Education or the
11 Department of Human Services, whichever is the appropriate
12 supervising agency.

13 "School Vehicle Type II" means any vehicle designed to
14 transport less than 16 passengers, including the driver, used to
15 transport enrolled children, and adults only when serving as
16 chaperones, to or from a school, school connected activity, day
17 camp, summer day camp, summer residence camp, nursery school,
18 child care center, preschool center or other similar places of
19 education. Such vehicle shall comply with the regulations of the
20 New Jersey Motor Vehicle Commission and either the Department
21 of Education or the Department of Human Services, whichever is
22 the appropriate supervising agency.

23 "School zone" means that portion of a highway which is either
24 contiguous to territory occupied by a school building or is where
25 school crossings are established in the vicinity of a school, upon
26 which are maintained appropriate "school signs" in accordance with
27 specifications adopted by the chief administrator and in accordance
28 with law.

29 "School crossing" means that portion of a highway where school
30 children are required to cross the highway in the vicinity of a
31 school.

32 "Semitrailer" means every vehicle with or without motive power,
33 other than a pole trailer, designed for carrying persons or property
34 and for being drawn by a motor vehicle and so constructed that
35 some part of its weight and that of its load rests upon or is carried
36 by another vehicle.

37 "Shipper" means any person who shall deliver, or cause to be
38 delivered, any commodity, produce or article for transportation as
39 the contents or load of a commercial motor vehicle. In the case of a
40 sealed ocean container, "shipper" shall not be construed to include
41 any person whose activities with respect to the shipment are limited
42 to the solicitation or negotiation of the sale, resale, or exchange of
43 the commodity, produce or article within that container.

44 "Shoulder" means that portion of the highway, exclusive of and
45 bordering the roadway, designed for emergency use but not
46 ordinarily to be used for vehicular travel.

47 "Sidewalk" means that portion of a highway intended for the use
48 of pedestrians, between the curb line or the lateral line of a

- 1 shoulder, or if none, the lateral line of the roadway and the adjacent
2 right-of-way line.
- 3 "Sign." See "Official traffic control devices."
- 4 "Slow-moving vehicle" means a vehicle run at a speed less than
5 the maximum speed then and there permissible.
- 6 "Solid tire" means every tire of rubber or other resilient material
7 which does not depend upon compressed air for the support of the
8 load.
- 9 "Standard" means, when used to describe any license to operate a
10 motor vehicle or any identification card issued by the commission
11 under the provisions of this Title, that the issuance of the license or
12 identification card does not require proof of lawful presence in the
13 United States.
- 14 "Street" means the same as highway.
- 15 "Street car" means a car other than a railroad train, for
16 transporting persons or property and operated upon rails principally
17 within a municipality.
- 18 "Stop," when required, means complete cessation from
19 movement.
- 20 "Stopping or standing," when prohibited, means any cessation of
21 movement of a vehicle, whether occupied or not, except when
22 necessary to avoid conflict with other traffic or in compliance with
23 the directions of a police officer or traffic control sign or signal.
- 24 "Suburban business or residential district" means that portion of
25 highway and the territory contiguous thereto, where within any
26 1,320 feet along that highway there is land in use for business or
27 residential purposes and that land occupies more than 660 feet of
28 frontage on one side or collectively more than 660 feet of frontage
29 on both sides of that roadway.
- 30 "Through highway" means every highway or portion thereof at
31 the entrances to which vehicular traffic from intersecting highways
32 is required by law to stop before entering or crossing the same and
33 when stop signs are erected as provided in this chapter.
- 34 "Trackless trolley" means every motor vehicle which is propelled
35 by electric power obtained from overhead trolley wires but not
36 operated upon rails.
- 37 "Traffic" means pedestrians, ridden or herded animals, vehicles,
38 street cars, and other conveyances either singly, or together, while
39 using any highway for purposes of travel.
- 40 "Traffic control signal" means a device, whether manually,
41 electrically, mechanically, or otherwise controlled, by which traffic
42 is alternately directed to stop and to proceed.
- 43 "Trailer" means every vehicle with or without motive power,
44 other than a pole trailer, designed for carrying persons or property
45 and for being drawn by a motor vehicle and so constructed that no
46 part of its weight rests upon the towing vehicle.
- 47 "Truck" means every motor vehicle designed, used, or
48 maintained primarily for the transportation of property.

1 "Truck tractor" means every motor vehicle designed and used
2 primarily for drawing other vehicles and not so constructed as to
3 carry a load other than a part of the weight of the vehicle and load
4 so drawn.

5 "Van pooling" means seven or more persons commuting on a
6 daily basis to and from work by means of a vehicle with a seating
7 arrangement designed to carry seven to 15 adult passengers.

8 "Vehicle" means every device in, upon or by which a person or
9 property is or may be transported upon a highway, excepting
10 devices moved by human power or used exclusively upon stationary
11 rails or tracks or low-speed electric bicycles, low-speed electric
12 scooters, or motorized bicycles.

13 (cf: P.L.2019, c.271, s.1)

14

15 2. R.S.39:4-138 is amended to read as follows:

16 39:4-138. Except when necessary to avoid conflict with other
17 traffic or in compliance with the directions of a traffic or police
18 officer or traffic sign or signal, no operator of a vehicle shall stand
19 or park the vehicle in any of the following places:

20 a. Within an intersection;

21 b. On a crosswalk;

22 c. Between a safety zone and the adjacent curb or within at
23 least 20 feet of a point on the curb immediately opposite the end of
24 a safety zone;

25 d. In front of a public or private driveway;

26 e. (1) Within 25 feet of the nearest crosswalk or side line of a
27 street or intersecting highway, except at alleys and as provided in
28 section 2 of P.L.2009, c.257 (C.39:4-138.6); or

29 (2) Within 10 feet of the nearest crosswalk or side line of a
30 street or intersecting highway, if a curb extension or bulbout has
31 been constructed at that crosswalk;

32 f. On a sidewalk;

33 g. In any appropriately marked "No Parking" space established
34 pursuant to the duly promulgated regulations of the Commissioner
35 of Transportation;

36 h. Within 50 feet of a "stop" sign except as provided in section
37 2 of P.L.2009, c.257 (C.39:4-138.6);

38 i. Within 10 feet of a fire hydrant;

39 j. Within 50 feet of the nearest rail of a railroad crossing;

40 k. Within 20 feet of the driveway entrance to any fire station
41 and on the side of a street opposite the entrance to any fire station
42 within 75 feet of said entrance, when properly signposted;

43 l. Alongside or opposite any street excavation or obstruction
44 when stopping, standing, or parking would obstruct traffic, when
45 properly signposted;

46 m. On the roadway side of any vehicle stopped or parked at the
47 edge or curb of a street;

1 n. Upon any bridge or other elevated structure upon a highway,
2 or within a highway tunnel or underpass, or on the immediate
3 approaches thereto except where space for parking is provided;

4 o. In any space on public or private property appropriately
5 marked for vehicles for persons with disabilities pursuant to
6 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et
7 seq.) or any other applicable law unless the vehicle is authorized by
8 law to be parked therein and a person with a disability is either the
9 driver or a passenger in that vehicle. State, county, or municipal law
10 enforcement officers or parking enforcement authority officers shall
11 enforce the parking restrictions on spaces appropriately marked for
12 vehicles for persons with disabilities on both public and private
13 property;

14 p. In any space in an electric vehicle charging location if the
15 vehicle is a non-electric vehicle and where the location is clearly
16 marked 1) as an electric vehicle charging location, 2) as designated
17 for electric vehicle charging only, and 3) to indicate that violators
18 are subject to a penalty.

19 No person shall move a vehicle not lawfully under the person's
20 control into any such prohibited area or away from a curb such
21 distance as is unlawful.

22 (cf: P.L.2017, c.131, s.157)

23
24 3. This act shall take effect immediately.

25 26 27 STATEMENT

28
29 This bill adds electric vehicle charging locations to the locations
30 where an operator of a motor vehicle is prohibited from parking
31 under certain circumstances.

32 Under the bill, an individual is prohibited from parking in an
33 electric vehicle charging location if the vehicle is a non-electric
34 vehicle and if the location is clearly marked: 1) as an electric
35 vehicle charging location, 2) as designated for electric vehicle
36 charging only, and 3) to indicate that violators are subject to a
37 penalty.

38 The bill defines “electric vehicle charging location” as a publicly
39 accessible parking space or set of parking spaces, with visible
40 signage designating that the parking space or spaces are available
41 for use by the public for charging plug-in electric vehicles.

42 A violation of the provisions of this bill is punishable by a fine
43 of not more than \$50 or imprisonment for a term not exceeding 15
44 days, or both.

45 The sponsor notes that many electric vehicle drivers report that
46 non-electric vehicles are often parked in electric vehicle charging
47 locations. Sometimes the driver of the non-electric vehicle did not
48 notice the spot was intended for electric vehicle charging because of

1 unclear or confusing signage, but many times, the non-electric
2 vehicle driver simply disregards the designation of the spot.
3 Unfortunately, many non-electric vehicle drivers do not realize how
4 critical these locations are to electric vehicle drivers. Parking in an
5 electric vehicle charging location is equivalent to blocking gas
6 pumps, except that there are far more gas stations than electric
7 vehicle charging locations. The sponsor hopes that this bill will
8 help deter non-electric vehicle drivers from parking in electric
9 vehicle charging locations and will allow law enforcement officers
10 to enforce penalties on individuals who violate the bill's provisions.

[First Reprint]

ASSEMBLY, No. 3035

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

SYNOPSIS

Prohibits certain vehicles from parking in electric vehicle charging spaces under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on September 19, 2024, with amendments.



(Sponsorship Updated As Of: 9/19/2024)

1 AN ACT concerning ¹**[parking reserved for charging plug-in electric**
2 **vehicles]** electric vehicle charging spaces¹ and amending
3 R.S.39:1-1 and R.S.39:4-138.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.39:1-1 is amended to read as follows:

9 39:1-1. As used in this subtitle, unless other meaning is clearly
10 apparent from the language or context, or unless inconsistent with the
11 manifest intention of the Legislature:

12 "Alley" means a public highway wherein the roadway does not
13 exceed 12 feet in width.

14 "Authorized emergency vehicles" means vehicles of the fire
15 department, police vehicles and such ambulances and other vehicles as
16 are approved by the chief administrator when operated in response to
17 an emergency call.

18 "Autocycle" means a three-wheeled motorcycle designed to be
19 controlled with a steering wheel and pedals in which the operator and
20 passenger may ride in a completely or partially enclosed seating area
21 that is equipped with a roll cage or roll hoops, safety seat belts for each
22 occupant, and anti-lock brakes.

23 "Automobile" includes all motor vehicles except motorcycles.

24 "Berm" means that portion of the highway exclusive of roadway
25 and shoulder, bordering the shoulder but not to be used for vehicular
26 travel.

27 "Business district" means that portion of a highway and the
28 territory contiguous thereto, where within any 600 feet along such
29 highway there are buildings in use for business or industrial purposes,
30 including but not limited to hotels, banks, office buildings, railroad
31 stations, and public buildings which occupy at least 300 feet of
32 frontage on one side or 300 feet collectively on both sides of the
33 roadway.

34 "Car pool" means two or more persons commuting on a daily basis
35 to and from work by means of a vehicle with a seating capacity of nine
36 passengers or less.

37 "Chief Administrator" or "Administrator" means the Chief
38 Administrator of the New Jersey Motor Vehicle Commission.

39 "Commercial motor vehicle" includes every type of motor-driven
40 vehicle used for commercial purposes on the highways, such as the
41 transportation of goods, wares and merchandise, excepting such
42 vehicles as are run only upon rails or tracks and vehicles of the
43 passenger car type used for touring purposes or the carrying of farm
44 products and milk, as the case may be.

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:

¹Assembly ATR committee amendments adopted September 19, 2024.

1 "Commission" means the New Jersey Motor Vehicle Commission
2 established by section 4 of P.L.2003, c.13 (C.39:2A-4).

3 "Commissioner" means the Commissioner of Transportation of
4 this State.

5 "Commuter van" means a motor vehicle having a seating capacity
6 of not less than seven nor more than 15 adult passengers, in which
7 seven or more persons commute on a daily basis to and from work and
8 which vehicle may also be operated by the driver or other designated
9 persons for their personal use.

10 "Crosswalk" means that part of a highway at an intersection, either
11 marked or unmarked existing at each approach of every roadway
12 intersection, included within the connections of the lateral lines of the
13 sidewalks on opposite sides of the highway measured from the curbs
14 or, in the absence of curbs, from the edges of the shoulder, or, if none,
15 from the edges of the roadway; also, any portion of a highway at an
16 intersection or elsewhere distinctly indicated for pedestrian crossing by
17 lines or other marking on the surface.

18 "Curb extension" or "bulbout" means a horizontal extension of the
19 sidewalk into the street which results in a narrower roadway section.

20 "Dealer" includes every person actively engaged in the business of
21 buying, selling or exchanging motor vehicles or motorcycles and who
22 has an established place of business.

23 "Deputy Chief Administrator" means the deputy chief
24 administrator of the commission.

25 "Driver" means the rider or driver of a horse, bicycle or motorcycle
26 or the driver or operator of a motor vehicle, unless otherwise specified.

27 "Electric vehicle charging 'location' space" means a publicly
28 accessible 'parking' charging space or set of 'parking' charging
29 spaces, with visible signage indicating that the 'parking' charging
30 space or spaces are available for use by the public for charging plug-in
31 electric vehicles.

32 "Explosives" means any chemical compound or mechanical
33 mixture that is commonly used or intended for the purpose of
34 producing an explosion and which contains any oxidizing and
35 combustive units or other ingredients in such proportions, quantities or
36 packing that an ignition by fire, friction, by concussion, by percussion,
37 or by detonator of any part of the compound or mixture may cause
38 such a sudden generation of highly heated gases that the resultant
39 gaseous pressures are capable of producing destructive effects on
40 contiguous objects or of destroying life or limb.

41 "Farm tractor" means every motor vehicle designed and used
42 primarily as a farm implement for drawing plows, mowing machines,
43 and other implements of husbandry.

44 "Flammable liquid" means any liquid having a flash point below
45 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
46 pounds.

47 "Gross weight" means the combined weight of a vehicle and a load
48 thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is
2 used to transport two or more persons and shall include public
3 transportation, car pool, van pool, and other vehicles as determined by
4 regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of
6 every way publicly maintained when any part thereof is open to the
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the roadway.

11 "Intersection" means the area embraced within the prolongation of
12 the lateral curb lines or, if none, the lateral boundary lines of two or
13 more highways which join one another at an angle, whether or not one
14 such highway crosses another.

15 "Laned roadway" means a roadway which is divided into two or
16 more clearly marked lanes for vehicular traffic.

17 "Leased limousine" means any limousine subject to regulation in
18 the State which:

19 a. Is offered for rental or lease, without a driver, to be operated by
20 a limousine service as the lessee, for the purpose of carrying
21 passengers for hire; and

22 b. Is leased or rented for a period of one year or more following
23 registration.

24 "Leased motor vehicle" means any motor vehicle subject to
25 registration in this State which:

26 a. Is offered for rental or lease, without a driver, to be operated by
27 the lessee, his agent or servant, for purposes other than the
28 transportation of passengers for hire; and

29 b. Is leased or rented for a period of one year or more following
30 registration.

31 "Limited-access highway" means every highway, street, or
32 roadway in respect to which owners or occupants of abutting lands and
33 other persons have no legal right of access to or from the same except
34 at such points only and in such manner as may be determined by the
35 public authority having jurisdiction over such highway, street, or
36 roadway; and includes any highway designated as a "freeway" or
37 "parkway" by authority of law.

38 "Local authorities" means every county, municipal and other local
39 board or body having authority to adopt local police regulations under
40 the Constitution and laws of this State, including every county
41 governing body with relation to county roads.

42 "Low-speed electric bicycle" means a two or three-wheeled vehicle
43 with fully operable pedals and an electric motor of less than 750 watts,
44 that meets the requirements of one of the following classifications:
45 "class 1 low-speed electric bicycle" which means a low-speed electric
46 bicycle equipped with a motor that provides assistance only when the
47 rider is pedaling, and that ceases to provide assistance when the
48 bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed

1 electric bicycle" which means a low-speed electric bicycle equipped
2 with a motor that may be used exclusively to propel the bicycle, and
3 that is not capable of providing assistance when the bicycle reaches the
4 speed of 20 miles per hour.

5 "Low-speed electric scooter" means a scooter with a floorboard
6 that can be stood upon by the operator, with handlebars, and an electric
7 motor that is capable of propelling the device with or without human
8 propulsion at a maximum speed of less than 19 miles per hour.

9 "Low-speed vehicle" means a four-wheeled low-speed vehicle, as
10 defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than
11 20 miles per hour but not more than 25 miles per hour on a paved level
12 surface and which is not powered by gasoline or diesel fuel and
13 complies with federal safety standards as set forth in 49 C.F.R.
14 s.571.500.

15 "Magistrate" means any municipal court and the Superior Court,
16 and any officer having the powers of a committing magistrate and the
17 chief administrator.

18 "Manufacturer" means a person engaged in the business of
19 manufacturing or assembling motor vehicles, who will, under normal
20 business conditions during the year, manufacture or assemble at least
21 10 new motor vehicles.

22 "Metal tire" means every tire the surface of which in contact with
23 the highway is wholly or partly of metal or other hard nonresilient
24 material.

25 "Mid-block crosswalk" means a crosswalk located away from an
26 intersection, distinctly indicated by lines or markings on the surface.

27 "Motorized bicycle" means a pedal bicycle having a helper motor
28 characterized in that either the maximum piston displacement is less
29 than 50 cc. or said motor is rated at no more than 1.5 brake horsepower
30 or is powered by an electric drive motor and said bicycle is capable of
31 a maximum speed of no more than 25 miles per hour on a flat surface
32 or a pedal bicycle having an electric motor that is capable of propelling
33 the bicycle in excess of 20 miles per hour with a maximum motor-
34 powered speed of no more than 28 miles per hour on a flat surface.
35 This term shall not include a low-speed electric bicycle or low-speed
36 electric scooter as defined in this section.

37 "Motorcycle" includes motorcycles, autocycles, motor bikes,
38 bicycles with motor attached and all motor-operated vehicles of the
39 bicycle or tricycle type, except motorized bicycles, low-speed electric
40 bicycles, and low-speed electric scooters as defined in this section,
41 whether the motive power be a part thereof or attached thereto and
42 having a saddle or seat with driver sitting astride or upon it or a
43 platform on which the driver stands.

44 "Motor-drawn vehicle" includes trailers, semitrailers, or any other
45 type of vehicle drawn by a motor-driven vehicle.

46 "Motor vehicle" includes all vehicles propelled otherwise than by
47 muscular power, excepting such vehicles as run only upon rails or

1 tracks, low-speed electric bicycles, low-speed electric scooters, and
2 motorized bicycles.

3 "Motorized scooter" means a miniature motor vehicle and
4 includes, but is not limited to, pocket bikes, super pocket bikes,
5 scooters, mini-scooters, sport scooters, mini choppers, mini
6 motorcycles, motorized skateboards and other vehicles with motors
7 not manufactured in compliance with Federal Motor Vehicle Safety
8 Standards and which have no permanent Federal Safety Certification
9 stickers affixed to the vehicle by the original manufacturer. This term
10 shall not include: electric personal assistive mobility devices,
11 motorized bicycles, low-speed vehicles, low-speed electric bicycles, or
12 low-speed electric scooters; or motorized wheelchairs, mobility
13 scooters or similar mobility assisting devices used by persons with
14 physical disabilities, or persons whose ambulatory mobility has been
15 impaired by age or illness.

16 "Motorized skateboard" means a skateboard that is propelled
17 otherwise than by muscular power.

18 "Motorized wheelchair" means any motor-driven wheelchair
19 utilized to increase the independent mobility, in the activities of daily
20 living, of an individual who has limited or no ambulation abilities, and
21 includes mobility scooters manufactured specifically for such purposes
22 and designed primarily for indoor use.

23 "Noncommercial truck" means every motor vehicle designed
24 primarily for transportation of property, and which is not a
25 "commercial vehicle."

26 "Official traffic control devices" means all signs, signals,
27 markings, and devices not inconsistent with this subtitle placed or
28 erected by authority of a public body or official having jurisdiction for
29 the purpose of regulating, warning, or guiding traffic.

30 "Omnibus" includes all motor vehicles used for the transportation
31 of passengers for hire, except commuter vans and vehicles used in
32 ridesharing arrangements and school buses, if the same are not
33 otherwise used in the transportation of passengers for hire.

34 "Operator" means a person who is in actual physical control of a
35 vehicle or street car.

36 "Outside lane" means the lane nearest the curb or outer edge of the
37 roadway.

38 "Owner" means a person who holds the legal title of a vehicle, or if
39 a vehicle is the subject of an agreement for the conditional sale or
40 lease thereof with the right of purchase upon performance of the
41 conditions stated in the agreement and with an immediate right of
42 possession vested in the conditional vendee or lessee, or if a mortgagor
43 of a vehicle is entitled to possession, then the conditional vendee,
44 lessee or mortgagor shall be deemed the owner for the purpose of this
45 subtitle.

46 "Parking" means the standing or waiting on a street, road or
47 highway of a vehicle not actually engaged in receiving or discharging

1 passengers or merchandise, unless in obedience to traffic regulations
2 or traffic signs or signals.

3 "Passenger automobile" means all automobiles used and designed
4 for the transportation of passengers, other than omnibuses and school
5 buses.

6 "Pedestrian" means a person afoot.

7 "Person" includes natural persons, firms, copartnerships,
8 associations, and corporations.

9 "Pneumatic tire" means every tire in which compressed air is
10 designed to support the load.

11 "Pole trailer" means every vehicle without motive power designed
12 to be drawn by another vehicle and attached to the towing vehicle by
13 means of a reach, or pole, or by being boomed or otherwise secured to
14 the towing vehicle, and ordinarily used for transporting long or
15 irregularly shaped loads, such as poles, pipes, or structural members
16 capable, generally, of sustaining themselves as beams between the
17 supporting connections.

18 "Private road or driveway" means every road or driveway not open
19 to the use of the public for purposes of vehicular travel.

20 "Railroad train" means a steam engine, electric or other motor,
21 with or without cars coupled thereto, operated upon rails, except street
22 cars.

23 "REAL ID basic driver's license" means a basic driver's license
24 issued by the commission that complies with the provisions of the
25 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
26 supplementary thereto, and any federal regulations adopted thereunder.

27 "REAL ID identification card" means an identification card issued
28 by the commission that complies with the provisions of the "REAL ID
29 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
30 thereto, and any federal regulations adopted thereunder.

31 "REAL ID license" means any license to operate a motor vehicle
32 issued by the commission that complies with the provisions of the
33 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
34 supplementary thereto, and any federal regulations adopted thereunder.

35 "REAL ID motorcycle license" means a motorcycle license issued
36 by the commission that complies with the provisions of the "REAL ID
37 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
38 thereto, and any federal regulations adopted thereunder.

39 "REAL ID probationary license" means a probationary license
40 issued by the commission that complies with the provisions of the
41 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
42 supplementary thereto, and any federal regulations adopted thereunder.

43 "Recreation vehicle" means a self-propelled or towed vehicle
44 equipped to serve as temporary living quarters for recreational,
45 camping or travel purposes and used solely as a family or personal
46 conveyance.

47 "Residence district" means that portion of a highway and the
48 territory contiguous thereto, not comprising a business district, where

1 within any 600 feet along such highway there are buildings in use for
2 business or residential purposes which occupy 300 feet or more of
3 frontage on at least one side of the highway.

4 "Ridesharing" means the transportation of persons in a motor
5 vehicle, with a maximum carrying capacity of not more than 15
6 passengers, including the driver, where such transportation is
7 incidental to the purpose of the driver. The term shall include such
8 ridesharing arrangements known as car pools and van pools.

9 "Right-of-way" means the privilege of the immediate use of the
10 highway.

11 "Road tractor" means every motor vehicle designed and used for
12 drawing other vehicles and not so constructed as to carry any load
13 thereon either independently or any part of the weight of a vehicle or
14 load so drawn.

15 "Roadway" means that portion of a highway improved, designed,
16 or ordinarily used for vehicular travel, exclusive of the berm or
17 shoulder. In the event a highway includes two or more separate
18 roadways, the term "roadway" as used herein shall refer to any such
19 roadway separately, but not to all such roadways, collectively.

20 "Safety zone" means the area or space officially set aside within a
21 highway for the exclusive use of pedestrians, which is so plainly
22 marked or indicated by proper signs as to be plainly visible at all times
23 while set apart as a safety zone.

24 "School bus" means every motor vehicle operated by, or under
25 contract with, a public or governmental agency, or religious or other
26 charitable organization or corporation, or privately operated for the
27 transportation of children to or from school for secular or religious
28 education, which complies with the regulations of the New Jersey
29 Motor Vehicle Commission affecting school buses, including "School
30 Vehicle Type I" and "School Vehicle Type II" as defined below:

31 "School Vehicle Type I" means any vehicle designed to transport
32 16 or more passengers, including the driver, used to transport enrolled
33 children, and adults only when serving as chaperones, to or from a
34 school, school connected activity, day camp, summer day camp,
35 summer residence camp, nursery school, child care center, preschool
36 center or other similar places of education. Such vehicle shall comply
37 with the regulations of the New Jersey Motor Vehicle Commission and
38 either the Department of Education or the Department of Human
39 Services, whichever is the appropriate supervising agency.

40 "School Vehicle Type II" means any vehicle designed to transport
41 less than 16 passengers, including the driver, used to transport enrolled
42 children, and adults only when serving as chaperones, to or from a
43 school, school connected activity, day camp, summer day camp,
44 summer residence camp, nursery school, child care center, preschool
45 center or other similar places of education. Such vehicle shall comply
46 with the regulations of the New Jersey Motor Vehicle Commission and
47 either the Department of Education or the Department of Human
48 Services, whichever is the appropriate supervising agency.

1 "School zone" means that portion of a highway which is either
2 contiguous to territory occupied by a school building or is where
3 school crossings are established in the vicinity of a school, upon which
4 are maintained appropriate "school signs" in accordance with
5 specifications adopted by the chief administrator and in accordance
6 with law.

7 "School crossing" means that portion of a highway where school
8 children are required to cross the highway in the vicinity of a school.

9 "Semitrailer" means every vehicle with or without motive power,
10 other than a pole trailer, designed for carrying persons or property and
11 for being drawn by a motor vehicle and so constructed that some part
12 of its weight and that of its load rests upon or is carried by another
13 vehicle.

14 "Shipper" means any person who shall deliver, or cause to be
15 delivered, any commodity, produce or article for transportation as the
16 contents or load of a commercial motor vehicle. In the case of a sealed
17 ocean container, "shipper" shall not be construed to include any person
18 whose activities with respect to the shipment are limited to the
19 solicitation or negotiation of the sale, resale, or exchange of the
20 commodity, produce or article within that container.

21 "Shoulder" means that portion of the highway, exclusive of and
22 bordering the roadway, designed for emergency use but not ordinarily
23 to be used for vehicular travel.

24 "Sidewalk" means that portion of a highway intended for the use of
25 pedestrians, between the curb line or the lateral line of a shoulder, or if
26 none, the lateral line of the roadway and the adjacent right-of-way line.

27 "Sign." See "Official traffic control devices."

28 "Slow-moving vehicle" means a vehicle run at a speed less than
29 the maximum speed then and there permissible.

30 "Solid tire" means every tire of rubber or other resilient material
31 which does not depend upon compressed air for the support of the
32 load.

33 "Standard" means, when used to describe any license to operate a
34 motor vehicle or any identification card issued by the commission
35 under the provisions of this Title, that the issuance of the license or
36 identification card does not require proof of lawful presence in the
37 United States.

38 "Street" means the same as highway.

39 "Street car" means a car other than a railroad train, for transporting
40 persons or property and operated upon rails principally within a
41 municipality.

42 "Stop," when required, means complete cessation from movement.

43 "Stopping or standing," when prohibited, means any cessation of
44 movement of a vehicle, whether occupied or not, except when
45 necessary to avoid conflict with other traffic or in compliance with the
46 directions of a police officer or traffic control sign or signal.

47 "Suburban business or residential district" means that portion of
48 highway and the territory contiguous thereto, where within any 1,320

1 feet along that highway there is land in use for business or residential
2 purposes and that land occupies more than 660 feet of frontage on one
3 side or collectively more than 660 feet of frontage on both sides of that
4 roadway.

5 "Through highway" means every highway or portion thereof at the
6 entrances to which vehicular traffic from intersecting highways is
7 required by law to stop before entering or crossing the same and when
8 stop signs are erected as provided in this chapter.

9 "Trackless trolley" means every motor vehicle which is propelled
10 by electric power obtained from overhead trolley wires but not
11 operated upon rails.

12 "Traffic" means pedestrians, ridden or herded animals, vehicles,
13 street cars, and other conveyances either singly, or together, while
14 using any highway for purposes of travel.

15 "Traffic control signal" means a device, whether manually,
16 electrically, mechanically, or otherwise controlled, by which traffic is
17 alternately directed to stop and to proceed.

18 "Trailer" means every vehicle with or without motive power, other
19 than a pole trailer, designed for carrying persons or property and for
20 being drawn by a motor vehicle and so constructed that no part of its
21 weight rests upon the towing vehicle.

22 "Truck" means every motor vehicle designed, used, or maintained
23 primarily for the transportation of property.

24 "Truck tractor" means every motor vehicle designed and used
25 primarily for drawing other vehicles and not so constructed as to carry
26 a load other than a part of the weight of the vehicle and load so drawn.

27 "Van pooling" means seven or more persons commuting on a daily
28 basis to and from work by means of a vehicle with a seating
29 arrangement designed to carry seven to 15 adult passengers.

30 "Vehicle" means every device in, upon or by which a person or
31 property is or may be transported upon a highway, excepting devices
32 moved by human power or used exclusively upon stationary rails or
33 tracks or low-speed electric bicycles, low-speed electric scooters, or
34 motorized bicycles.

35 (cf: P.L.2022, c.16, s.2)

36

37 2. R.S.39:4-138 is amended to read as follows:

38 39:4-138. Except when necessary to avoid conflict with other
39 traffic or in compliance with the directions of a traffic or police officer
40 or traffic sign or signal, no operator of a vehicle shall stand or park the
41 vehicle in any of the following places:

42 a. Within an intersection;

43 b. On a crosswalk;

44 c. Between a safety zone and the adjacent curb or within at least
45 20 feet of a point on the curb immediately opposite the end of a safety
46 zone;

47 d. In front of a public or private driveway;

1 e. (1) Within 25 feet of the nearest crosswalk or side line of a
2 street or intersecting highway, except at alleys and as provided in
3 section 2 of P.L.2009, c.257 (C.39:4-138.6); or

4 (2) Within 10 feet of the nearest crosswalk or side line of a street
5 or intersecting highway, if a curb extension or bulbout has been
6 constructed at that crosswalk;

7 f. On a sidewalk;

8 g. In any appropriately marked "No Parking" space established
9 pursuant to the duly promulgated regulations of the Commissioner of
10 Transportation;

11 h. Within 50 feet of a "stop" sign except as provided in section 2
12 of P.L.2009, c.257 (C.39:4-138.6);

13 i. Within 10 feet of a fire hydrant;

14 j. Within 50 feet of the nearest rail of a railroad crossing;

15 k. Within 20 feet of the driveway entrance to any fire station and
16 on the side of a street opposite the entrance to any fire station within
17 75 feet of said entrance, when properly signposted;

18 l. Alongside or opposite any street excavation or obstruction
19 when stopping, standing, or parking would obstruct traffic, when
20 properly signposted;

21 m. On the roadway side of any vehicle stopped or parked at the
22 edge or curb of a street;

23 n. Upon any bridge or other elevated structure upon a highway, or
24 within a highway tunnel or underpass, or on the immediate approaches
25 thereto except where space for parking is provided;

26 o. In any space on public or private property appropriately
27 marked for vehicles for persons with disabilities pursuant to P.L.1977,
28 c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et seq.) or any
29 other applicable law unless the vehicle is authorized by law to be
30 parked therein and a person with a disability is either the driver or a
31 passenger in that vehicle. State, county, or municipal law enforcement
32 officers or parking enforcement authority officers shall enforce the
33 parking restrictions on spaces appropriately marked for vehicles for
34 persons with disabilities on both public and private property;

35 p. In any ¹["space in an"]¹ electric vehicle charging ¹["location"]
36 space¹ if the vehicle is a non-electric vehicle ¹or is a plug-in electric
37 vehicle, including a battery electric vehicle or plug-in hybrid electric
38 vehicle, that is not actively charging¹ and where the ¹["location"]
39 space¹ is clearly marked ¹["1) as an electric vehicle charging location,
40 2) as designated for electric vehicle charging only, and 3) to indicate
41 that violators are subject to a penalty"] with signage and pavement
42 markings indicating the space is reserved for plug-in electric vehicles
43 that are actively charging, which signage and pavement markings shall
44 be visible during the day and night.

45 An individual who violates the provisions of this subsection shall
46 be subject to a fine of \$55 for the first offense, \$100 for the second
47 offense, and \$200 for the third and each subsequent offense. Towing

1 of vehicles found to be in violation of this subsection shall be at the
2 discretion of the municipality in which the electric vehicle charging
3 space is located¹.

4 No person shall move a vehicle not lawfully under the person's
5 control into any such prohibited area or away from a curb such
6 distance as is unlawful.

7 (cf: P.L.2017, c.131, s.157)

8

9 3. This act shall take effect immediately.

[Second Reprint]

ASSEMBLY, No. 3035

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator BOB SMITH

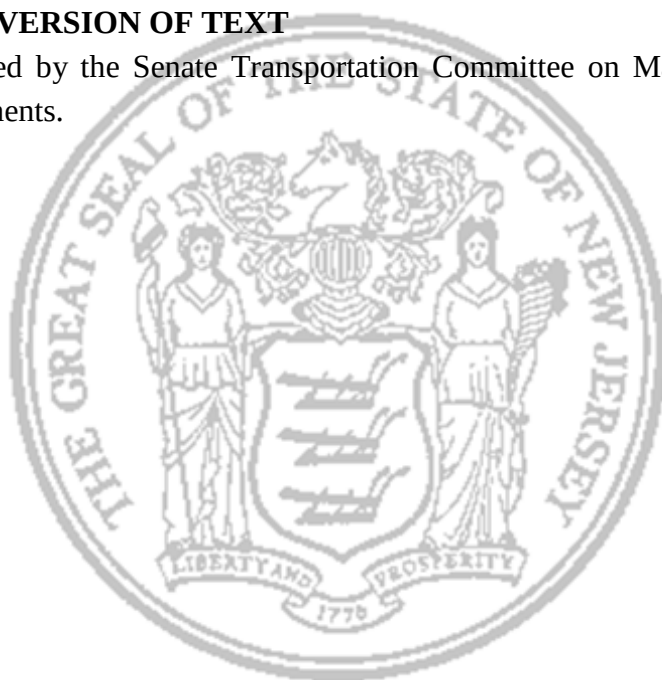
District 17 (Middlesex and Somerset)

SYNOPSIS

Prohibits certain vehicles from parking in electric vehicle charging spaces under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on March 17, 2025, with amendments.



(Sponsorship Updated As Of: 6/2/2025)

1 AN ACT concerning ¹**[parking reserved for charging plug-in electric**
2 **vehicles]** electric vehicle charging spaces¹ and amending
3 R.S.39:1-1 and R.S.39:4-138.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.39:1-1 is amended to read as follows:

9 39:1-1. As used in this subtitle, unless other meaning is clearly
10 apparent from the language or context, or unless inconsistent with the
11 manifest intention of the Legislature:

12 "Alley" means a public highway wherein the roadway does not
13 exceed 12 feet in width.

14 "Authorized emergency vehicles" means vehicles of the fire
15 department, police vehicles and such ambulances and other vehicles as
16 are approved by the chief administrator when operated in response to
17 an emergency call.

18 "Autocycle" means a three-wheeled motorcycle designed to be
19 controlled with a steering wheel and pedals in which the operator and
20 passenger may ride in a completely or partially enclosed seating area
21 that is equipped with a roll cage or roll hoops, safety seat belts for each
22 occupant, and anti-lock brakes.

23 "Automobile" includes all motor vehicles except motorcycles.

24 "Berm" means that portion of the highway exclusive of roadway
25 and shoulder, bordering the shoulder but not to be used for vehicular
26 travel.

27 "Business district" means that portion of a highway and the
28 territory contiguous thereto, where within any 600 feet along such
29 highway there are buildings in use for business or industrial purposes,
30 including but not limited to hotels, banks, office buildings, railroad
31 stations, and public buildings which occupy at least 300 feet of
32 frontage on one side or 300 feet collectively on both sides of the
33 roadway.

34 "Car pool" means two or more persons commuting on a daily basis
35 to and from work by means of a vehicle with a seating capacity of nine
36 passengers or less.

37 "Chief Administrator" or "Administrator" means the Chief
38 Administrator of the New Jersey Motor Vehicle Commission.

39 "Commercial motor vehicle" includes every type of motor-driven
40 vehicle used for commercial purposes on the highways, such as the
41 transportation of goods, wares and merchandise, excepting such
42 vehicles as are run only upon rails or tracks and vehicles of the
43 passenger car type used for touring purposes or the carrying of farm
44 products and milk, as the case may be.

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:

¹Assembly ATR committee amendments adopted September 19, 2024.

²Senate STR committee amendments adopted March 17, 2025.

1 "Commission" means the New Jersey Motor Vehicle Commission
2 established by section 4 of P.L.2003, c.13 (C.39:2A-4).

3 "Commissioner" means the Commissioner of Transportation of
4 this State.

5 "Commuter van" means a motor vehicle having a seating capacity
6 of not less than seven nor more than 15 adult passengers, in which
7 seven or more persons commute on a daily basis to and from work and
8 which vehicle may also be operated by the driver or other designated
9 persons for their personal use.

10 "Crosswalk" means that part of a highway at an intersection, either
11 marked or unmarked existing at each approach of every roadway
12 intersection, included within the connections of the lateral lines of the
13 sidewalks on opposite sides of the highway measured from the curbs
14 or, in the absence of curbs, from the edges of the shoulder, or, if none,
15 from the edges of the roadway; also, any portion of a highway at an
16 intersection or elsewhere distinctly indicated for pedestrian crossing by
17 lines or other marking on the surface.

18 "Curb extension" or "bulbout" means a horizontal extension of the
19 sidewalk into the street which results in a narrower roadway section.

20 "Dealer" includes every person actively engaged in the business of
21 buying, selling or exchanging motor vehicles or motorcycles and who
22 has an established place of business.

23 "Deputy Chief Administrator" means the deputy chief
24 administrator of the commission.

25 "Driver" means the rider or driver of a horse, bicycle or motorcycle
26 or the driver or operator of a motor vehicle, unless otherwise specified.

27 "Electric vehicle charging 'location' space" means a publicly
28 accessible 'parking' charging space or set of 'parking' charging
29 spaces, with visible signage indicating that the 'parking' charging
30 space or spaces are available for use by the public for charging plug-in
31 electric vehicles.

32 "Explosives" means any chemical compound or mechanical
33 mixture that is commonly used or intended for the purpose of
34 producing an explosion and which contains any oxidizing and
35 combustive units or other ingredients in such proportions, quantities or
36 packing that an ignition by fire, friction, by concussion, by percussion,
37 or by detonator of any part of the compound or mixture may cause
38 such a sudden generation of highly heated gases that the resultant
39 gaseous pressures are capable of producing destructive effects on
40 contiguous objects or of destroying life or limb.

41 "Farm tractor" means every motor vehicle designed and used
42 primarily as a farm implement for drawing plows, mowing machines,
43 and other implements of husbandry.

44 "Flammable liquid" means any liquid having a flash point below
45 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
46 pounds.

47 "Gross weight" means the combined weight of a vehicle and a load
48 thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is
2 used to transport two or more persons and shall include public
3 transportation, car pool, van pool, and other vehicles as determined by
4 regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of
6 every way publicly maintained when any part thereof is open to the
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the roadway.

11 "Intersection" means the area embraced within the prolongation of
12 the lateral curb lines or, if none, the lateral boundary lines of two or
13 more highways which join one another at an angle, whether or not one
14 such highway crosses another.

15 "Laned roadway" means a roadway which is divided into two or
16 more clearly marked lanes for vehicular traffic.

17 "Leased limousine" means any limousine subject to regulation in
18 the State which:

19 a. Is offered for rental or lease, without a driver, to be operated by
20 a limousine service as the lessee, for the purpose of carrying
21 passengers for hire; and

22 b. Is leased or rented for a period of one year or more following
23 registration.

24 "Leased motor vehicle" means any motor vehicle subject to
25 registration in this State which:

26 a. Is offered for rental or lease, without a driver, to be operated by
27 the lessee, his agent or servant, for purposes other than the
28 transportation of passengers for hire; and

29 b. Is leased or rented for a period of one year or more following
30 registration.

31 "Limited-access highway" means every highway, street, or
32 roadway in respect to which owners or occupants of abutting lands and
33 other persons have no legal right of access to or from the same except
34 at such points only and in such manner as may be determined by the
35 public authority having jurisdiction over such highway, street, or
36 roadway; and includes any highway designated as a "freeway" or
37 "parkway" by authority of law.

38 "Local authorities" means every county, municipal and other local
39 board or body having authority to adopt local police regulations under
40 the Constitution and laws of this State, including every county
41 governing body with relation to county roads.

42 "Low-speed electric bicycle" means a two or three-wheeled vehicle
43 with fully operable pedals and an electric motor of less than 750 watts,
44 that meets the requirements of one of the following classifications:
45 "class 1 low-speed electric bicycle" which means a low-speed electric
46 bicycle equipped with a motor that provides assistance only when the
47 rider is pedaling, and that ceases to provide assistance when the
48 bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed

1 electric bicycle" which means a low-speed electric bicycle equipped
2 with a motor that may be used exclusively to propel the bicycle, and
3 that is not capable of providing assistance when the bicycle reaches the
4 speed of 20 miles per hour.

5 "Low-speed electric scooter" means a scooter with a floorboard
6 that can be stood upon by the operator, with handlebars, and an electric
7 motor that is capable of propelling the device with or without human
8 propulsion at a maximum speed of less than 19 miles per hour.

9 "Low-speed vehicle" means a four-wheeled low-speed vehicle, as
10 defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than
11 20 miles per hour but not more than 25 miles per hour on a paved level
12 surface and which is not powered by gasoline or diesel fuel and
13 complies with federal safety standards as set forth in 49 C.F.R.
14 s.571.500.

15 "Magistrate" means any municipal court and the Superior Court,
16 and any officer having the powers of a committing magistrate and the
17 chief administrator.

18 "Manufacturer" means a person engaged in the business of
19 manufacturing or assembling motor vehicles, who will, under normal
20 business conditions during the year, manufacture or assemble at least
21 10 new motor vehicles.

22 "Metal tire" means every tire the surface of which in contact with
23 the highway is wholly or partly of metal or other hard nonresilient
24 material.

25 "Mid-block crosswalk" means a crosswalk located away from an
26 intersection, distinctly indicated by lines or markings on the surface.

27 "Motorized bicycle" means a pedal bicycle having a helper motor
28 characterized in that either the maximum piston displacement is less
29 than 50 cc. or said motor is rated at no more than 1.5 brake horsepower
30 or is powered by an electric drive motor and said bicycle is capable of
31 a maximum speed of no more than 25 miles per hour on a flat surface
32 or a pedal bicycle having an electric motor that is capable of propelling
33 the bicycle in excess of 20 miles per hour with a maximum motor-
34 powered speed of no more than 28 miles per hour on a flat surface.
35 This term shall not include a low-speed electric bicycle or low-speed
36 electric scooter as defined in this section.

37 "Motorcycle" includes motorcycles, autocycles, motor bikes,
38 bicycles with motor attached and all motor-operated vehicles of the
39 bicycle or tricycle type, except motorized bicycles, low-speed electric
40 bicycles, and low-speed electric scooters as defined in this section,
41 whether the motive power be a part thereof or attached thereto and
42 having a saddle or seat with driver sitting astride or upon it or a
43 platform on which the driver stands.

44 "Motor-drawn vehicle" includes trailers, semitrailers, or any other
45 type of vehicle drawn by a motor-driven vehicle.

46 "Motor vehicle" includes all vehicles propelled otherwise than by
47 muscular power, excepting such vehicles as run only upon rails or

1 tracks, low-speed electric bicycles, low-speed electric scooters, and
2 motorized bicycles.

3 "Motorized scooter" means a miniature motor vehicle and
4 includes, but is not limited to, pocket bikes, super pocket bikes,
5 scooters, mini-scooters, sport scooters, mini choppers, mini
6 motorcycles, motorized skateboards and other vehicles with motors
7 not manufactured in compliance with Federal Motor Vehicle Safety
8 Standards and which have no permanent Federal Safety Certification
9 stickers affixed to the vehicle by the original manufacturer. This term
10 shall not include: electric personal assistive mobility devices,
11 motorized bicycles, low-speed vehicles, low-speed electric bicycles, or
12 low-speed electric scooters; or motorized wheelchairs, mobility
13 scooters or similar mobility assisting devices used by persons with
14 physical disabilities, or persons whose ambulatory mobility has been
15 impaired by age or illness.

16 "Motorized skateboard" means a skateboard that is propelled
17 otherwise than by muscular power.

18 "Motorized wheelchair" means any motor-driven wheelchair
19 utilized to increase the independent mobility, in the activities of daily
20 living, of an individual who has limited or no ambulation abilities, and
21 includes mobility scooters manufactured specifically for such purposes
22 and designed primarily for indoor use.

23 "Noncommercial truck" means every motor vehicle designed
24 primarily for transportation of property, and which is not a
25 "commercial vehicle."

26 "Official traffic control devices" means all signs, signals,
27 markings, and devices not inconsistent with this subtitle placed or
28 erected by authority of a public body or official having jurisdiction for
29 the purpose of regulating, warning, or guiding traffic.

30 "Omnibus" includes all motor vehicles used for the transportation
31 of passengers for hire, except commuter vans and vehicles used in
32 ridesharing arrangements and school buses, if the same are not
33 otherwise used in the transportation of passengers for hire.

34 "Operator" means a person who is in actual physical control of a
35 vehicle or street car.

36 "Outside lane" means the lane nearest the curb or outer edge of the
37 roadway.

38 "Owner" means a person who holds the legal title of a vehicle, or if
39 a vehicle is the subject of an agreement for the conditional sale or
40 lease thereof with the right of purchase upon performance of the
41 conditions stated in the agreement and with an immediate right of
42 possession vested in the conditional vendee or lessee, or if a mortgagor
43 of a vehicle is entitled to possession, then the conditional vendee,
44 lessee or mortgagor shall be deemed the owner for the purpose of this
45 subtitle.

46 "Parking" means the standing or waiting on a street, road or
47 highway of a vehicle not actually engaged in receiving or discharging

1 passengers or merchandise, unless in obedience to traffic regulations
2 or traffic signs or signals.

3 "Passenger automobile" means all automobiles used and designed
4 for the transportation of passengers, other than omnibuses and school
5 buses.

6 "Pedestrian" means a person afoot.

7 "Person" includes natural persons, firms, copartnerships,
8 associations, and corporations.

9 ²"Plug-in electric vehicle" means a vehicle that has a battery, or an
10 equivalent energy storage device, that can be charged from an
11 electricity supply external to the vehicle with an electric plug. This
12 term includes a plug-in hybrid electric vehicle.

13 "Plug-in hybrid electric vehicle" means a vehicle that can be
14 charged from a source of electricity external to the vehicle through an
15 electric plug, but is not exclusively powered by electricity.²

16 "Pneumatic tire" means every tire in which compressed air is
17 designed to support the load.

18 "Pole trailer" means every vehicle without motive power designed
19 to be drawn by another vehicle and attached to the towing vehicle by
20 means of a reach, or pole, or by being boomed or otherwise secured to
21 the towing vehicle, and ordinarily used for transporting long or
22 irregularly shaped loads, such as poles, pipes, or structural members
23 capable, generally, of sustaining themselves as beams between the
24 supporting connections.

25 "Private road or driveway" means every road or driveway not open
26 to the use of the public for purposes of vehicular travel.

27 "Railroad train" means a steam engine, electric or other motor,
28 with or without cars coupled thereto, operated upon rails, except street
29 cars.

30 "REAL ID basic driver's license" means a basic driver's license
31 issued by the commission that complies with the provisions of the
32 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
33 supplementary thereto, and any federal regulations adopted thereunder.

34 "REAL ID identification card" means an identification card issued
35 by the commission that complies with the provisions of the "REAL ID
36 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
37 thereto, and any federal regulations adopted thereunder.

38 "REAL ID license" means any license to operate a motor vehicle
39 issued by the commission that complies with the provisions of the
40 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
41 supplementary thereto, and any federal regulations adopted thereunder.

42 "REAL ID motorcycle license" means a motorcycle license issued
43 by the commission that complies with the provisions of the "REAL ID
44 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
45 thereto, and any federal regulations adopted thereunder.

46 "REAL ID probationary license" means a probationary license
47 issued by the commission that complies with the provisions of the
48 "REAL ID Act of 2005," ²**[P.L.109-13]** Pub.L.109-13², any acts

1 amendatory or supplementary thereto, and any federal regulations
2 adopted thereunder.

3 "Recreation vehicle" means a self-propelled or towed vehicle
4 equipped to serve as temporary living quarters for recreational,
5 camping or travel purposes and used solely as a family or personal
6 conveyance.

7 "Residence district" means that portion of a highway and the
8 territory contiguous thereto, not comprising a business district, where
9 within any 600 feet along such highway there are buildings in use for
10 business or residential purposes which occupy 300 feet or more of
11 frontage on at least one side of the highway.

12 "Ridesharing" means the transportation of persons in a motor
13 vehicle, with a maximum carrying capacity of not more than 15
14 passengers, including the driver, where such transportation is
15 incidental to the purpose of the driver. The term shall include such
16 ridesharing arrangements known as car pools and van pools.

17 "Right-of-way" means the privilege of the immediate use of the
18 highway.

19 "Road tractor" means every motor vehicle designed and used for
20 drawing other vehicles and not so constructed as to carry any load
21 thereon either independently or any part of the weight of a vehicle or
22 load so drawn.

23 "Roadway" means that portion of a highway improved, designed,
24 or ordinarily used for vehicular travel, exclusive of the berm or
25 shoulder. In the event a highway includes two or more separate
26 roadways, the term "roadway" as used herein shall refer to any such
27 roadway separately, but not to all such roadways, collectively.

28 "Safety zone" means the area or space officially set aside within a
29 highway for the exclusive use of pedestrians, which is so plainly
30 marked or indicated by proper signs as to be plainly visible at all times
31 while set apart as a safety zone.

32 "School bus" means every motor vehicle operated by, or under
33 contract with, a public or governmental agency, or religious or other
34 charitable organization or corporation, or privately operated for the
35 transportation of children to or from school for secular or religious
36 education, which complies with the regulations of the New Jersey
37 Motor Vehicle Commission affecting school buses, including "School
38 Vehicle Type I" and "School Vehicle Type II" as defined below:

39 "School Vehicle Type I" means any vehicle designed to transport
40 16 or more passengers, including the driver, used to transport enrolled
41 children, and adults only when serving as chaperones, to or from a
42 school, school connected activity, day camp, summer day camp,
43 summer residence camp, nursery school, child care center, preschool
44 center or other similar places of education. Such vehicle shall comply
45 with the regulations of the New Jersey Motor Vehicle Commission and
46 either the Department of Education or the Department of Human
47 Services, whichever is the appropriate supervising agency.

1 "School Vehicle Type II" means any vehicle designed to transport
2 less than 16 passengers, including the driver, used to transport enrolled
3 children, and adults only when serving as chaperones, to or from a
4 school, school connected activity, day camp, summer day camp,
5 summer residence camp, nursery school, child care center, preschool
6 center or other similar places of education. Such vehicle shall comply
7 with the regulations of the New Jersey Motor Vehicle Commission and
8 either the Department of Education or the Department of Human
9 Services, whichever is the appropriate supervising agency.

10 "School zone" means that portion of a highway which is either
11 contiguous to territory occupied by a school building or is where
12 school crossings are established in the vicinity of a school, upon which
13 are maintained appropriate "school signs" in accordance with
14 specifications adopted by the chief administrator and in accordance
15 with law.

16 "School crossing" means that portion of a highway where school
17 children are required to cross the highway in the vicinity of a school.

18 "Semitrailer" means every vehicle with or without motive power,
19 other than a pole trailer, designed for carrying persons or property and
20 for being drawn by a motor vehicle and so constructed that some part
21 of its weight and that of its load rests upon or is carried by another
22 vehicle.

23 "Shipper" means any person who shall deliver, or cause to be
24 delivered, any commodity, produce or article for transportation as the
25 contents or load of a commercial motor vehicle. In the case of a sealed
26 ocean container, "shipper" shall not be construed to include any person
27 whose activities with respect to the shipment are limited to the
28 solicitation or negotiation of the sale, resale, or exchange of the
29 commodity, produce or article within that container.

30 "Shoulder" means that portion of the highway, exclusive of and
31 bordering the roadway, designed for emergency use but not ordinarily
32 to be used for vehicular travel.

33 "Sidewalk" means that portion of a highway intended for the use of
34 pedestrians, between the curb line or the lateral line of a shoulder, or if
35 none, the lateral line of the roadway and the adjacent right-of-way line.

36 "Sign." See "Official traffic control devices."

37 "Slow-moving vehicle" means a vehicle run at a speed less than
38 the maximum speed then and there permissible.

39 "Solid tire" means every tire of rubber or other resilient material
40 which does not depend upon compressed air for the support of the
41 load.

42 "Standard" means, when used to describe any license to operate a
43 motor vehicle or any identification card issued by the commission
44 under the provisions of this Title, that the issuance of the license or
45 identification card does not require proof of lawful presence in the
46 United States.

47 "Street" means the same as highway.

1 "Street car" means a car other than a railroad train, for transporting
2 persons or property and operated upon rails principally within a
3 municipality.

4 "Stop," when required, means complete cessation from movement.

5 "Stopping or standing," when prohibited, means any cessation of
6 movement of a vehicle, whether occupied or not, except when
7 necessary to avoid conflict with other traffic or in compliance with the
8 directions of a police officer or traffic control sign or signal.

9 "Suburban business or residential district" means that portion of
10 highway and the territory contiguous thereto, where within any 1,320
11 feet along that highway there is land in use for business or residential
12 purposes and that land occupies more than 660 feet of frontage on one
13 side or collectively more than 660 feet of frontage on both sides of that
14 roadway.

15 "Through highway" means every highway or portion thereof at the
16 entrances to which vehicular traffic from intersecting highways is
17 required by law to stop before entering or crossing the same and when
18 stop signs are erected as provided in this chapter.

19 "Trackless trolley" means every motor vehicle which is propelled
20 by electric power obtained from overhead trolley wires but not
21 operated upon rails.

22 "Traffic" means pedestrians, ridden or herded animals, vehicles,
23 street cars, and other conveyances either singly, or together, while
24 using any highway for purposes of travel.

25 "Traffic control signal" means a device, whether manually,
26 electrically, mechanically, or otherwise controlled, by which traffic is
27 alternately directed to stop and to proceed.

28 "Trailer" means every vehicle with or without motive power, other
29 than a pole trailer, designed for carrying persons or property and for
30 being drawn by a motor vehicle and so constructed that no part of its
31 weight rests upon the towing vehicle.

32 "Truck" means every motor vehicle designed, used, or maintained
33 primarily for the transportation of property.

34 "Truck tractor" means every motor vehicle designed and used
35 primarily for drawing other vehicles and not so constructed as to carry
36 a load other than a part of the weight of the vehicle and load so drawn.

37 "Van pooling" means seven or more persons commuting on a daily
38 basis to and from work by means of a vehicle with a seating
39 arrangement designed to carry seven to 15 adult passengers.

40 "Vehicle" means every device in, upon or by which a person or
41 property is or may be transported upon a highway, excepting devices
42 moved by human power or used exclusively upon stationary rails or
43 tracks or low-speed electric bicycles, low-speed electric scooters, or
44 motorized bicycles.

45 (cf: P.L.2022, c.16, s.2)

46

47 2. R.S.39:4-138 is amended to read as follows:

1 39:4-138. Except when necessary to avoid conflict with other
2 traffic or in compliance with the directions of a traffic or police
3 officer or traffic sign or signal, no operator of a vehicle shall stand
4 or park the vehicle in any of the following places:

- 5 a. Within an intersection;
- 6 b. On a crosswalk;
- 7 c. Between a safety zone and the adjacent curb or within at
8 least 20 feet of a point on the curb immediately opposite the end of
9 a safety zone;
- 10 d. In front of a public or private driveway;
- 11 e. (1) Within 25 feet of the nearest crosswalk or side line of a
12 street or intersecting highway, except at alleys and as provided in
13 section 2 of P.L.2009, c.257 (C.39:4-138.6); or
14 (2) Within 10 feet of the nearest crosswalk or side line of a
15 street or intersecting highway, if a curb extension or bulbout has
16 been constructed at that crosswalk;
- 17 f. On a sidewalk;
- 18 g. In any appropriately marked "No Parking" space established
19 pursuant to the duly promulgated regulations of the Commissioner
20 of Transportation;
- 21 h. Within 50 feet of a "stop" sign except as provided in section
22 2 of P.L.2009, c.257 (C.39:4-138.6);
- 23 i. Within 10 feet of a fire hydrant;
- 24 j. Within 50 feet of the nearest rail of a railroad crossing;
- 25 k. Within 20 feet of the driveway entrance to any fire station
26 and on the side of a street opposite the entrance to any fire station
27 within 75 feet of said entrance, when properly signposted;
- 28 l. Alongside or opposite any street excavation or obstruction
29 when stopping, standing, or parking would obstruct traffic, when
30 properly signposted;
- 31 m. On the roadway side of any vehicle stopped or parked at the
32 edge or curb of a street;
- 33 n. Upon any bridge or other elevated structure upon a highway,
34 or within a highway tunnel or underpass, or on the immediate
35 approaches thereto except where space for parking is provided;
- 36 o. In any space on public or private property appropriately
37 marked for vehicles for persons with disabilities pursuant to
38 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et
39 seq.) or any other applicable law unless the vehicle is authorized by
40 law to be parked therein and a person with a disability is either the
41 driver or a passenger in that vehicle. State, county, or municipal law
42 enforcement officers or parking enforcement authority officers shall
43 enforce the parking restrictions on spaces appropriately marked for
44 vehicles for persons with disabilities on both public and private
45 property;
- 46 p. In any ¹[space in an] ¹electric vehicle charging ¹[location]
47 space¹ if the vehicle is a non-electric vehicle ¹or is a plug-in electric
48 vehicle, including a battery electric vehicle or plug-in hybrid

1 electric vehicle, that is not actively charging¹ and where the
2 '[location] space' is clearly marked '1) as an electric vehicle
3 charging location, 2) as designated for electric vehicle charging
4 only, and 3) to indicate that violators are subject to a penalty.] with
5 signage and pavement markings indicating the space is reserved for
6 plug-in electric vehicles that are actively charging, which signage
7 and pavement markings shall be visible during the day and night.

8 An individual who violates the provisions of this subsection shall
9 be subject to a fine of \$55 for the first offense, \$100 for the second
10 offense, and \$200 for the third and each subsequent offense.
11 Towing of vehicles found to be in violation of this subsection shall
12 be at the discretion of the municipality in which the electric vehicle
13 charging space is located¹. ²In the event that a municipality
14 exercises its discretion to tow a vehicle pursuant to this subsection,
15 the registered owner or lessee of the vehicle shall be responsible for
16 all towing and storage costs.²

17 No person shall move a vehicle not lawfully under the person's
18 control into any such prohibited area or away from a curb such
19 distance as is unlawful.

20 (cf: P.L.2017, c.131, s.157)

21

22 3. This act shall take effect immediately.

ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3035

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2024

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 3035.

As amended and reported, this bill adds electric vehicle charging spaces to the locations where an operator of a motor vehicle is prohibited from parking under certain circumstances.

Under the bill, an individual is prohibited from parking in an electric vehicle charging space: (1) if the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging; and (2) if the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging. Under the bill, the signage and pavement markings are required to be visible during the day and night. Additionally, an individual who violates the bill's provisions is subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Additionally, towing of vehicles found to be in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located.

The bill defines "electric vehicle charging space" as a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that only actively charging plug-in electric vehicles are permitted to park in designated electric vehicle charging spaces;

(2) remove a provision of the bill that requires the space to be clearly marked: as designated for electric vehicle charging only, and to

indicate that violators are subject to a penalty; and instead require the space to be clearly marked with signage and pavement markings that are visible during the day and night that indicate that the space is reserved for plug-in electric vehicles that are actively charging;

(3) establish that any non-electric vehicle or any plug-in electric vehicle not actively charging in an electric vehicle charging space will be subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and any subsequent offenses;

(4) clarify that towing of a vehicle in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located;

(5) change the definition of "electric vehicle charging location" to "electric vehicle charging space;" and

(6) update the title and synopsis of the bill.

ASSEMBLY PUBLIC SAFETY AND PREPAREDNESS
COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3035

STATE OF NEW JERSEY

DATED: JANUARY 27, 2025

The Assembly Public Safety and Preparedness Committee reports favorably Assembly Bill No. 3035 (1R).

As reported by the committee, this bill adds electric vehicle charging spaces to the locations where an operator of a motor vehicle is prohibited from parking under certain circumstances.

Under the bill, an individual is prohibited from parking in an electric vehicle charging space: (1) if the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging; and (2) if the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging. The bill provides that the signage and pavement markings are required to be visible during the day and night. Additionally, an individual who violates the bill's provisions is subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Towing of vehicles found to be in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located.

The bill defines "electric vehicle charging space" as a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3035

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 17, 2025

The Senate Transportation Committee reports favorably and with committee amendments Assembly Bill No. 3035 (1R).

As amended and reported, this bill adds electric vehicle charging spaces to the locations where an operator of a motor vehicle is prohibited from parking under certain circumstances.

Under the bill, an individual is prohibited from parking in an electric vehicle charging space if: (1) the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging; and (2) the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging. The bill provides that the signage and pavement markings are required to be visible during the day and night. Additionally, an individual who violates the bill's provisions is subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Towing of vehicles found to be in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located. In the event that a municipality exercises its discretion to tow a vehicle from an electric vehicle charging space, the registered owner or lessee of the vehicle is to be responsible for all towing and storage costs.

The bill defines "electric vehicle charging space" as a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles. A "plug-in electric vehicle" is defined as a vehicle that has a battery, or an equivalent energy storage device, that can be charged from an electricity supply external to the vehicle with an electric plug, and includes a plug-in hybrid electric vehicle. A "plug-in hybrid electric vehicle" is defined as a vehicle that can be charged from a source of electricity external to the vehicle through an electric plug, but is not exclusively powered by electricity.

As amended and reported by the committee, Assembly Bill No. 3035 (1R) is identical to Senate Bill No. 4134, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that, in the event that a municipality exercises its discretion to tow an individual's vehicle from an electric vehicle charging space, the registered owner or lessee of the vehicle is responsible for paying all towing and storage costs;

(2) define "plug-in electric vehicle" and "plug-in hybrid electric vehicle"; and

(3) make technical corrections.

SENATE, No. 4134

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 13, 2025

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Prohibits certain vehicles from parking in electric vehicle charging spaces under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/17/2025)

1 **AN ACT** concerning electric vehicle charging spaces and amending
2 R.S.39:1-1 and R.S.39:4-138.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.39:1-1 is amended to read as follows:

8 39:1-1. As used in this subtitle, unless other meaning is clearly
9 apparent from the language or context, or unless inconsistent with the
10 manifest intention of the Legislature:

11 "Alley" means a public highway wherein the roadway does not
12 exceed 12 feet in width.

13 "Authorized emergency vehicles" means vehicles of the fire
14 department, police vehicles and such ambulances and other vehicles as
15 are approved by the chief administrator when operated in response to
16 an emergency call.

17 "Autocycle" means a three-wheeled motorcycle designed to be
18 controlled with a steering wheel and pedals in which the operator and
19 passenger may ride in a completely or partially enclosed seating area
20 that is equipped with a roll cage or roll hoops, safety seat belts for each
21 occupant, and anti-lock brakes.

22 "Automobile" includes all motor vehicles except motorcycles.

23 "Berm" means that portion of the highway exclusive of roadway
24 and shoulder, bordering the shoulder but not to be used for vehicular
25 travel.

26 "Business district" means that portion of a highway and the
27 territory contiguous thereto, where within any 600 feet along such
28 highway there are buildings in use for business or industrial purposes,
29 including but not limited to hotels, banks, office buildings, railroad
30 stations, and public buildings which occupy at least 300 feet of
31 frontage on one side or 300 feet collectively on both sides of the
32 roadway.

33 "Car pool" means two or more persons commuting on a daily basis
34 to and from work by means of a vehicle with a seating capacity of nine
35 passengers or less.

36 "Chief Administrator" or "Administrator" means the Chief
37 Administrator of the New Jersey Motor Vehicle Commission.

38 "Commercial motor vehicle" includes every type of motor-driven
39 vehicle used for commercial purposes on the highways, such as the
40 transportation of goods, wares and merchandise, excepting such
41 vehicles as are run only upon rails or tracks and vehicles of the
42 passenger car type used for touring purposes or the carrying of farm
43 products and milk, as the case may be.

44 "Commission" means the New Jersey Motor Vehicle Commission
45 established by section 4 of P.L.2003, c.13 (C.39:2A-4).

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 "Commissioner" means the Commissioner of Transportation of
2 this State.

3 "Commuter van" means a motor vehicle having a seating capacity
4 of not less than seven nor more than 15 adult passengers, in which
5 seven or more persons commute on a daily basis to and from work and
6 which vehicle may also be operated by the driver or other designated
7 persons for their personal use.

8 "Crosswalk" means that part of a highway at an intersection, either
9 marked or unmarked existing at each approach of every roadway
10 intersection, included within the connections of the lateral lines of the
11 sidewalks on opposite sides of the highway measured from the curbs
12 or, in the absence of curbs, from the edges of the shoulder, or, if none,
13 from the edges of the roadway; also, any portion of a highway at an
14 intersection or elsewhere distinctly indicated for pedestrian crossing by
15 lines or other marking on the surface.

16 "Curb extension" or "bulbout" means a horizontal extension of the
17 sidewalk into the street which results in a narrower roadway section.

18 "Dealer" includes every person actively engaged in the business of
19 buying, selling or exchanging motor vehicles or motorcycles and who
20 has an established place of business.

21 "Deputy Chief Administrator" means the deputy chief
22 administrator of the commission.

23 "Driver" means the rider or driver of a horse, bicycle or motorcycle
24 or the driver or operator of a motor vehicle, unless otherwise specified.

25 "Electric vehicle charging space "means a publicly accessible
26 charging space or set of charging spaces, with visible signage
27 indicating that the charging space or spaces are available for use by the
28 public for charging plug-in electric vehicles.

29 "Explosives" means any chemical compound or mechanical
30 mixture that is commonly used or intended for the purpose of
31 producing an explosion and which contains any oxidizing and
32 combustive units or other ingredients in such proportions, quantities or
33 packing that an ignition by fire, friction, by concussion, by percussion,
34 or by detonator of any part of the compound or mixture may cause
35 such a sudden generation of highly heated gases that the resultant
36 gaseous pressures are capable of producing destructive effects on
37 contiguous objects or of destroying life or limb.

38 "Farm tractor" means every motor vehicle designed and used
39 primarily as a farm implement for drawing plows, mowing machines,
40 and other implements of husbandry.

41 "Flammable liquid" means any liquid having a flash point below
42 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
43 pounds.

44 "Gross weight" means the combined weight of a vehicle and a load
45 thereon.

46 "High occupancy vehicle" or "HOV" means a vehicle which is
47 used to transport two or more persons and shall include public
48 transportation, car pool, van pool, and other vehicles as determined by
49 regulation of the Department of Transportation.

1 "Highway" means the entire width between the boundary lines of
2 every way publicly maintained when any part thereof is open to the
3 use of the public for purposes of vehicular travel.

4 "Horse" includes mules and all other domestic animals used as
5 draught animals or beasts of burden.

6 "Inside lane" means the lane nearest the center line of the roadway.

7 "Intersection" means the area embraced within the prolongation of
8 the lateral curb lines or, if none, the lateral boundary lines of two or
9 more highways which join one another at an angle, whether or not one
10 such highway crosses another.

11 "Laned roadway" means a roadway which is divided into two or
12 more clearly marked lanes for vehicular traffic.

13 "Leased limousine" means any limousine subject to regulation in
14 the State which:

15 a. Is offered for rental or lease, without a driver, to be operated by
16 a limousine service as the lessee, for the purpose of carrying
17 passengers for hire; and

18 b. Is leased or rented for a period of one year or more following
19 registration.

20 "Leased motor vehicle" means any motor vehicle subject to
21 registration in this State which:

22 a. Is offered for rental or lease, without a driver, to be operated by
23 the lessee, his agent or servant, for purposes other than the
24 transportation of passengers for hire; and

25 b. Is leased or rented for a period of one year or more following
26 registration.

27 "Limited-access highway" means every highway, street, or
28 roadway in respect to which owners or occupants of abutting lands and
29 other persons have no legal right of access to or from the same except
30 at such points only and in such manner as may be determined by the
31 public authority having jurisdiction over such highway, street, or
32 roadway; and includes any highway designated as a "freeway" or
33 "parkway" by authority of law.

34 "Local authorities" means every county, municipal and other local
35 board or body having authority to adopt local police regulations under
36 the Constitution and laws of this State, including every county
37 governing body with relation to county roads.

38 "Low-speed electric bicycle" means a two or three-wheeled vehicle
39 with fully operable pedals and an electric motor of less than 750 watts,
40 that meets the requirements of one of the following classifications:
41 "class 1 low-speed electric bicycle" which means a low-speed electric
42 bicycle equipped with a motor that provides assistance only when the
43 rider is pedaling, and that ceases to provide assistance when the
44 bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed
45 electric bicycle" which means a low-speed electric bicycle equipped
46 with a motor that may be used exclusively to propel the bicycle, and
47 that is not capable of providing assistance when the bicycle reaches the
48 speed of 20 miles per hour.

1 "Low-speed electric scooter" means a scooter with a floorboard
2 that can be stood upon by the operator, with handlebars, and an electric
3 motor that is capable of propelling the device with or without human
4 propulsion at a maximum speed of less than 19 miles per hour.

5 "Low-speed vehicle" means a four-wheeled low-speed vehicle, as
6 defined in 49 C.F.R. s.571.3(b), whose attainable speed is more than
7 20 miles per hour but not more than 25 miles per hour on a paved level
8 surface and which is not powered by gasoline or diesel fuel and
9 complies with federal safety standards as set forth in 49 C.F.R.
10 s.571.500.

11 "Magistrate" means any municipal court and the Superior Court,
12 and any officer having the powers of a committing magistrate and the
13 chief administrator.

14 "Manufacturer" means a person engaged in the business of
15 manufacturing or assembling motor vehicles, who will, under normal
16 business conditions during the year, manufacture or assemble at least
17 10 new motor vehicles.

18 "Metal tire" means every tire the surface of which in contact with
19 the highway is wholly or partly of metal or other hard nonresilient
20 material.

21 "Mid-block crosswalk" means a crosswalk located away from an
22 intersection, distinctly indicated by lines or markings on the surface.

23 "Motorized bicycle" means a pedal bicycle having a helper motor
24 characterized in that either the maximum piston displacement is less
25 than 50 cc. or said motor is rated at no more than 1.5 brake horsepower
26 or is powered by an electric drive motor and said bicycle is capable of
27 a maximum speed of no more than 25 miles per hour on a flat surface
28 or a pedal bicycle having an electric motor that is capable of propelling
29 the bicycle in excess of 20 miles per hour with a maximum motor-
30 powered speed of no more than 28 miles per hour on a flat surface.
31 This term shall not include a low-speed electric bicycle or low-speed
32 electric scooter as defined in this section.

33 "Motorcycle" includes motorcycles, autocycles, motor bikes,
34 bicycles with motor attached and all motor-operated vehicles of the
35 bicycle or tricycle type, except motorized bicycles, low-speed electric
36 bicycles, and low-speed electric scooters as defined in this section,
37 whether the motive power be a part thereof or attached thereto and
38 having a saddle or seat with driver sitting astride or upon it or a
39 platform on which the driver stands.

40 "Motor-drawn vehicle" includes trailers, semitrailers, or any other
41 type of vehicle drawn by a motor-driven vehicle.

42 "Motor vehicle" includes all vehicles propelled otherwise than by
43 muscular power, excepting such vehicles as run only upon rails or
44 tracks, low-speed electric bicycles, low-speed electric scooters, and
45 motorized bicycles.

46 "Motorized scooter" means a miniature motor vehicle and
47 includes, but is not limited to, pocket bikes, super pocket bikes,
48 scooters, mini-scooters, sport scooters, mini choppers, mini
49 motorcycles, motorized skateboards and other vehicles with motors

1 not manufactured in compliance with Federal Motor Vehicle Safety
2 Standards and which have no permanent Federal Safety Certification
3 stickers affixed to the vehicle by the original manufacturer. This term
4 shall not include: electric personal assistive mobility devices,
5 motorized bicycles, low-speed vehicles, low-speed electric bicycles, or
6 low-speed electric scooters; or motorized wheelchairs, mobility
7 scooters or similar mobility assisting devices used by persons with
8 physical disabilities, or persons whose ambulatory mobility has been
9 impaired by age or illness.

10 "Motorized skateboard" means a skateboard that is propelled
11 otherwise than by muscular power.

12 "Motorized wheelchair" means any motor-driven wheelchair
13 utilized to increase the independent mobility, in the activities of daily
14 living, of an individual who has limited or no ambulation abilities, and
15 includes mobility scooters manufactured specifically for such purposes
16 and designed primarily for indoor use.

17 "Noncommercial truck" means every motor vehicle designed
18 primarily for transportation of property, and which is not a
19 "commercial vehicle."

20 "Official traffic control devices" means all signs, signals,
21 markings, and devices not inconsistent with this subtitle placed or
22 erected by authority of a public body or official having jurisdiction for
23 the purpose of regulating, warning, or guiding traffic.

24 "Omnibus" includes all motor vehicles used for the transportation
25 of passengers for hire, except commuter vans and vehicles used in
26 ridesharing arrangements and school buses, if the same are not
27 otherwise used in the transportation of passengers for hire.

28 "Operator" means a person who is in actual physical control of a
29 vehicle or street car.

30 "Outside lane" means the lane nearest the curb or outer edge of the
31 roadway.

32 "Owner" means a person who holds the legal title of a vehicle, or if
33 a vehicle is the subject of an agreement for the conditional sale or
34 lease thereof with the right of purchase upon performance of the
35 conditions stated in the agreement and with an immediate right of
36 possession vested in the conditional vendee or lessee, or if a mortgagor
37 of a vehicle is entitled to possession, then the conditional vendee,
38 lessee or mortgagor shall be deemed the owner for the purpose of this
39 subtitle.

40 "Parking" means the standing or waiting on a street, road or
41 highway of a vehicle not actually engaged in receiving or discharging
42 passengers or merchandise, unless in obedience to traffic regulations
43 or traffic signs or signals.

44 "Passenger automobile" means all automobiles used and designed
45 for the transportation of passengers, other than omnibuses and school
46 buses.

47 "Pedestrian" means a person afoot.

48 "Person" includes natural persons, firms, copartnerships,
49 associations, and corporations.

- 1 "Pneumatic tire" means every tire in which compressed air is
2 designed to support the load.
- 3 "Pole trailer" means every vehicle without motive power designed
4 to be drawn by another vehicle and attached to the towing vehicle by
5 means of a reach, or pole, or by being boomed or otherwise secured to
6 the towing vehicle, and ordinarily used for transporting long or
7 irregularly shaped loads, such as poles, pipes, or structural members
8 capable, generally, of sustaining themselves as beams between the
9 supporting connections.
- 10 "Private road or driveway" means every road or driveway not open
11 to the use of the public for purposes of vehicular travel.
- 12 "Railroad train" means a steam engine, electric or other motor,
13 with or without cars coupled thereto, operated upon rails, except street
14 cars.
- 15 "REAL ID basic driver's license" means a basic driver's license
16 issued by the commission that complies with the provisions of the
17 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
18 supplementary thereto, and any federal regulations adopted thereunder.
- 19 "REAL ID identification card" means an identification card issued
20 by the commission that complies with the provisions of the "REAL ID
21 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
22 thereto, and any federal regulations adopted thereunder.
- 23 "REAL ID license" means any license to operate a motor vehicle
24 issued by the commission that complies with the provisions of the
25 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
26 supplementary thereto, and any federal regulations adopted thereunder.
- 27 "REAL ID motorcycle license" means a motorcycle license issued
28 by the commission that complies with the provisions of the "REAL ID
29 Act of 2005," Pub.L.109-13, any acts amendatory or supplementary
30 thereto, and any federal regulations adopted thereunder.
- 31 "REAL ID probationary license" means a probationary license
32 issued by the commission that complies with the provisions of the
33 "REAL ID Act of 2005," P.L.109-13, any acts amendatory or
34 supplementary thereto, and any federal regulations adopted thereunder.
- 35 "Recreation vehicle" means a self-propelled or towed vehicle
36 equipped to serve as temporary living quarters for recreational,
37 camping or travel purposes and used solely as a family or personal
38 conveyance.
- 39 "Residence district" means that portion of a highway and the
40 territory contiguous thereto, not comprising a business district, where
41 within any 600 feet along such highway there are buildings in use for
42 business or residential purposes which occupy 300 feet or more of
43 frontage on at least one side of the highway.
- 44 "Ridesharing" means the transportation of persons in a motor
45 vehicle, with a maximum carrying capacity of not more than 15
46 passengers, including the driver, where such transportation is
47 incidental to the purpose of the driver. The term shall include such
48 ridesharing arrangements known as car pools and van pools.

1 "Right-of-way" means the privilege of the immediate use of the
2 highway.

3 "Road tractor" means every motor vehicle designed and used for
4 drawing other vehicles and not so constructed as to carry any load
5 thereon either independently or any part of the weight of a vehicle or
6 load so drawn.

7 "Roadway" means that portion of a highway improved, designed,
8 or ordinarily used for vehicular travel, exclusive of the berm or
9 shoulder. In the event a highway includes two or more separate
10 roadways, the term "roadway" as used herein shall refer to any such
11 roadway separately, but not to all such roadways, collectively.

12 "Safety zone" means the area or space officially set aside within a
13 highway for the exclusive use of pedestrians, which is so plainly
14 marked or indicated by proper signs as to be plainly visible at all times
15 while set apart as a safety zone.

16 "School bus" means every motor vehicle operated by, or under
17 contract with, a public or governmental agency, or religious or other
18 charitable organization or corporation, or privately operated for the
19 transportation of children to or from school for secular or religious
20 education, which complies with the regulations of the New Jersey
21 Motor Vehicle Commission affecting school buses, including "School
22 Vehicle Type I" and "School Vehicle Type II" as defined below:

23 "School Vehicle Type I" means any vehicle designed to transport
24 16 or more passengers, including the driver, used to transport enrolled
25 children, and adults only when serving as chaperones, to or from a
26 school, school connected activity, day camp, summer day camp,
27 summer residence camp, nursery school, child care center, preschool
28 center or other similar places of education. Such vehicle shall comply
29 with the regulations of the New Jersey Motor Vehicle Commission and
30 either the Department of Education or the Department of Human
31 Services, whichever is the appropriate supervising agency.

32 "School Vehicle Type II" means any vehicle designed to transport
33 less than 16 passengers, including the driver, used to transport enrolled
34 children, and adults only when serving as chaperones, to or from a
35 school, school connected activity, day camp, summer day camp,
36 summer residence camp, nursery school, child care center, preschool
37 center or other similar places of education. Such vehicle shall comply
38 with the regulations of the New Jersey Motor Vehicle Commission and
39 either the Department of Education or the Department of Human
40 Services, whichever is the appropriate supervising agency.

41 "School zone" means that portion of a highway which is either
42 contiguous to territory occupied by a school building or is where
43 school crossings are established in the vicinity of a school, upon which
44 are maintained appropriate "school signs" in accordance with
45 specifications adopted by the chief administrator and in accordance
46 with law.

47 "School crossing" means that portion of a highway where school
48 children are required to cross the highway in the vicinity of a school.

1 "Semitrailer" means every vehicle with or without motive power,
2 other than a pole trailer, designed for carrying persons or property and
3 for being drawn by a motor vehicle and so constructed that some part
4 of its weight and that of its load rests upon or is carried by another
5 vehicle.

6 "Shipper" means any person who shall deliver, or cause to be
7 delivered, any commodity, produce or article for transportation as the
8 contents or load of a commercial motor vehicle. In the case of a sealed
9 ocean container, "shipper" shall not be construed to include any person
10 whose activities with respect to the shipment are limited to the
11 solicitation or negotiation of the sale, resale, or exchange of the
12 commodity, produce or article within that container.

13 "Shoulder" means that portion of the highway, exclusive of and
14 bordering the roadway, designed for emergency use but not ordinarily
15 to be used for vehicular travel.

16 "Sidewalk" means that portion of a highway intended for the use of
17 pedestrians, between the curb line or the lateral line of a shoulder, or if
18 none, the lateral line of the roadway and the adjacent right-of-way line.

19 "Sign." See "Official traffic control devices."

20 "Slow-moving vehicle" means a vehicle run at a speed less than
21 the maximum speed then and there permissible.

22 "Solid tire" means every tire of rubber or other resilient material
23 which does not depend upon compressed air for the support of the
24 load.

25 "Standard" means, when used to describe any license to operate a
26 motor vehicle or any identification card issued by the commission
27 under the provisions of this Title, that the issuance of the license or
28 identification card does not require proof of lawful presence in the
29 United States.

30 "Street" means the same as highway.

31 "Street car" means a car other than a railroad train, for transporting
32 persons or property and operated upon rails principally within a
33 municipality.

34 "Stop," when required, means complete cessation from movement.

35 "Stopping or standing," when prohibited, means any cessation of
36 movement of a vehicle, whether occupied or not, except when
37 necessary to avoid conflict with other traffic or in compliance with the
38 directions of a police officer or traffic control sign or signal.

39 "Suburban business or residential district" means that portion of
40 highway and the territory contiguous thereto, where within any 1,320
41 feet along that highway there is land in use for business or residential
42 purposes and that land occupies more than 660 feet of frontage on one
43 side or collectively more than 660 feet of frontage on both sides of that
44 roadway.

45 "Through highway" means every highway or portion thereof at the
46 entrances to which vehicular traffic from intersecting highways is
47 required by law to stop before entering or crossing the same and when
48 stop signs are erected as provided in this chapter.

1 "Trackless trolley" means every motor vehicle which is propelled
2 by electric power obtained from overhead trolley wires but not
3 operated upon rails.

4 "Traffic" means pedestrians, ridden or herded animals, vehicles,
5 street cars, and other conveyances either singly, or together, while
6 using any highway for purposes of travel.

7 "Traffic control signal" means a device, whether manually,
8 electrically, mechanically, or otherwise controlled, by which traffic is
9 alternately directed to stop and to proceed.

10 "Trailer" means every vehicle with or without motive power, other
11 than a pole trailer, designed for carrying persons or property and for
12 being drawn by a motor vehicle and so constructed that no part of its
13 weight rests upon the towing vehicle.

14 "Truck" means every motor vehicle designed, used, or maintained
15 primarily for the transportation of property.

16 "Truck tractor" means every motor vehicle designed and used
17 primarily for drawing other vehicles and not so constructed as to carry
18 a load other than a part of the weight of the vehicle and load so drawn.

19 "Van pooling" means seven or more persons commuting on a daily
20 basis to and from work by means of a vehicle with a seating
21 arrangement designed to carry seven to 15 adult passengers.

22 "Vehicle" means every device in, upon or by which a person or
23 property is or may be transported upon a highway, excepting devices
24 moved by human power or used exclusively upon stationary rails or
25 tracks or low-speed electric bicycles, low-speed electric scooters, or
26 motorized bicycles.

27 (cf: P.L.2022, c.16, s.2)

28

29 2. R.S.39:4-138 is amended to read as follows:

30 39:4-138. Except when necessary to avoid conflict with other
31 traffic or in compliance with the directions of a traffic or police officer
32 or traffic sign or signal, no operator of a vehicle shall stand or park the
33 vehicle in any of the following places:

34 a. Within an intersection;

35 b. On a crosswalk;

36 c. Between a safety zone and the adjacent curb or within at least
37 20 feet of a point on the curb immediately opposite the end of a safety
38 zone;

39 d. In front of a public or private driveway;

40 e. (1) Within 25 feet of the nearest crosswalk or side line of a
41 street or intersecting highway, except at alleys and as provided in
42 section 2 of P.L.2009, c.257 (C.39:4-138.6); or

43 (2) Within 10 feet of the nearest crosswalk or side line of a street
44 or intersecting highway, if a curb extension or bulbout has been
45 constructed at that crosswalk;

46 f. On a sidewalk;

47 g. In any appropriately marked "No Parking" space established

- 1 pursuant to the duly promulgated regulations of the Commissioner of
2 Transportation;
- 3 h. Within 50 feet of a "stop" sign except as provided in section 2
4 of P.L.2009, c.257 (C.39:4-138.6);
- 5 i. Within 10 feet of a fire hydrant;
- 6 j. Within 50 feet of the nearest rail of a railroad crossing;
- 7 k. Within 20 feet of the driveway entrance to any fire station and
8 on the side of a street opposite the entrance to any fire station within
9 75 feet of said entrance, when properly signposted;
- 10 l. Alongside or opposite any street excavation or obstruction
11 when stopping, standing, or parking would obstruct traffic, when
12 properly signposted;
- 13 m. On the roadway side of any vehicle stopped or parked at the
14 edge or curb of a street;
- 15 n. Upon any bridge or other elevated structure upon a highway, or
16 within a highway tunnel or underpass, or on the immediate approaches
17 thereto except where space for parking is provided;
- 18 o. In any space on public or private property appropriately
19 marked for vehicles for persons with disabilities pursuant to P.L.1977,
20 c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et seq.) or any
21 other applicable law unless the vehicle is authorized by law to be
22 parked therein and a person with a disability is either the driver or a
23 passenger in that vehicle. State, county, or municipal law enforcement
24 officers or parking enforcement authority officers shall enforce the
25 parking restrictions on spaces appropriately marked for vehicles for
26 persons with disabilities on both public and private property;
- 27 p. In any electric vehicle charging space if the vehicle is a non-
28 electric vehicle or is a plug-in electric vehicle, including a battery
29 electric vehicle or plug-in hybrid electric vehicle, that is not actively
30 charging and where the space is clearly marked with signage and
31 pavement markings indicating the space is reserved for plug-in electric
32 vehicles that are actively charging, which signage and pavement
33 markings shall be visible during the day and night.
- 34 An individual who violates the provisions of this subsection shall
35 be subject to a fine of \$55 for the first offense, \$100 for the second
36 offense, and \$200 for the third and each subsequent offense. Towing
37 of vehicles found to be in violation of this subsection shall be at the
38 discretion of the municipality in which the electric vehicle charging
39 space is located.
- 40 No person shall move a vehicle not lawfully under the person's
41 control into any such prohibited area or away from a curb such
42 distance as is unlawful.
43 (cf: P.L.2017, c.131, s.157)
44
- 45 3. This act shall take effect immediately.

STATEMENT

This bill adds electric vehicle charging spaces to the locations where an operator of a motor vehicle is prohibited from parking under certain circumstances.

Under the bill, an individual is prohibited from parking in an electric vehicle charging space: (1) if the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging; and (2) if the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging. Under the bill, the signage and pavement markings are required to be visible during the day and night. Additionally, an individual who violates the bill's provisions is subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Additionally, towing of vehicles found to be in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located.

The bill defines "electric vehicle charging space" as a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles.

[First Reprint]

SENATE, No. 4134

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED FEBRUARY 13, 2025

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Prohibits certain vehicles from parking in electric vehicle charging spaces under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on March 17, 2025, with amendments.



(Sponsorship Updated As Of: 3/17/2025)

1 **AN ACT** concerning electric vehicle charging spaces and amending
2 R.S.39:1-1 and R.S.39:4-138.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.39:1-1 is amended to read as follows:

8 39:1-1. As used in this subtitle, unless other meaning is
9 clearly apparent from the language or context, or unless inconsistent
10 with the manifest intention of the Legislature:

11 "Alley" means a public highway wherein the roadway does not
12 exceed 12 feet in width.

13 "Authorized emergency vehicles" means vehicles of the fire
14 department, police vehicles and such ambulances and other vehicles
15 as are approved by the chief administrator when operated in
16 response to an emergency call.

17 "Autocycle" means a three-wheeled motorcycle designed to be
18 controlled with a steering wheel and pedals in which the operator
19 and passenger may ride in a completely or partially enclosed seating
20 area that is equipped with a roll cage or roll hoops, safety seat belts
21 for each occupant, and anti-lock brakes.

22 "Automobile" includes all motor vehicles except motorcycles.

23 "Berm" means that portion of the highway exclusive of roadway
24 and shoulder, bordering the shoulder but not to be used for
25 vehicular travel.

26 "Business district" means that portion of a highway and the
27 territory contiguous thereto, where within any 600 feet along such
28 highway there are buildings in use for business or industrial
29 purposes, including but not limited to hotels, banks, office
30 buildings, railroad stations, and public buildings which occupy at
31 least 300 feet of frontage on one side or 300 feet collectively on
32 both sides of the roadway.

33 "Car pool" means two or more persons commuting on a daily
34 basis to and from work by means of a vehicle with a seating
35 capacity of nine passengers or less.

36 "Chief Administrator" or "Administrator" means the Chief
37 Administrator of the New Jersey Motor Vehicle Commission.

38 "Commercial motor vehicle" includes every type of motor-driven
39 vehicle used for commercial purposes on the highways, such as the
40 transportation of goods, wares and merchandise, excepting such
41 vehicles as are run only upon rails or tracks and vehicles of the
42 passenger car type used for touring purposes or the carrying of farm
43 products and milk, as the case may be.

44 "Commission" means the New Jersey Motor Vehicle
45 Commission established by section 4 of P.L.2003, c.13 (C.39:2A-
46 4).

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:

¹Senate STR committee amendments adopted March 17, 2025.

1 "Commissioner" means the Commissioner of Transportation of
2 this State.

3 "Commuter van" means a motor vehicle having a seating
4 capacity of not less than seven nor more than 15 adult passengers,
5 in which seven or more persons commute on a daily basis to and
6 from work and which vehicle may also be operated by the driver or
7 other designated persons for their personal use.

8 "Crosswalk" means that part of a highway at an intersection,
9 either marked or unmarked existing at each approach of every
10 roadway intersection, included within the connections of the lateral
11 lines of the sidewalks on opposite sides of the highway measured
12 from the curbs or, in the absence of curbs, from the edges of the
13 shoulder, or, if none, from the edges of the roadway; also, any
14 portion of a highway at an intersection or elsewhere distinctly
15 indicated for pedestrian crossing by lines or other marking on the
16 surface.

17 "Curb extension" or "bulbout" means a horizontal extension of
18 the sidewalk into the street which results in a narrower roadway
19 section.

20 "Dealer" includes every person actively engaged in the business
21 of buying, selling or exchanging motor vehicles or motorcycles and
22 who has an established place of business.

23 "Deputy Chief Administrator" means the deputy chief
24 administrator of the commission.

25 "Driver" means the rider or driver of a horse, bicycle or
26 motorcycle or the driver or operator of a motor vehicle, unless
27 otherwise specified.

28 "Electric vehicle charging 'space' means space" means¹ a
29 publicly accessible charging space or set of charging spaces, with
30 visible signage indicating that the charging space or spaces are
31 available for use by the public for charging plug-in electric
32 vehicles.

33 "Explosives" means any chemical compound or mechanical
34 mixture that is commonly used or intended for the purpose of
35 producing an explosion and which contains any oxidizing and
36 combustive units or other ingredients in such proportions, quantities
37 or packing that an ignition by fire, friction, by concussion, by
38 percussion, or by detonator of any part of the compound or mixture
39 may cause such a sudden generation of highly heated gases that the
40 resultant gaseous pressures are capable of producing destructive
41 effects on contiguous objects or of destroying life or limb.

42 "Farm tractor" means every motor vehicle designed and used
43 primarily as a farm implement for drawing plows, mowing
44 machines, and other implements of husbandry.

45 "Flammable liquid" means any liquid having a flash point below
46 200 degrees Fahrenheit, and a vapor pressure not exceeding 40
47 pounds.

48 "Gross weight" means the combined weight of a vehicle and a
49 load thereon.

1 "High occupancy vehicle" or "HOV" means a vehicle which is
2 used to transport two or more persons and shall include public
3 transportation, car pool, van pool, and other vehicles as determined
4 by regulation of the Department of Transportation.

5 "Highway" means the entire width between the boundary lines of
6 every way publicly maintained when any part thereof is open to the
7 use of the public for purposes of vehicular travel.

8 "Horse" includes mules and all other domestic animals used as
9 draught animals or beasts of burden.

10 "Inside lane" means the lane nearest the center line of the
11 roadway.

12 "Intersection" means the area embraced within the prolongation
13 of the lateral curb lines or, if none, the lateral boundary lines of two
14 or more highways which join one another at an angle, whether or
15 not one such highway crosses another.

16 "Laned roadway" means a roadway which is divided into two or
17 more clearly marked lanes for vehicular traffic.

18 "Leased limousine" means any limousine subject to regulation in
19 the State which:

20 a. Is offered for rental or lease, without a driver, to be operated
21 by a limousine service as the lessee, for the purpose of carrying
22 passengers for hire; and

23 b. Is leased or rented for a period of one year or more
24 following registration.

25 "Leased motor vehicle" means any motor vehicle subject to
26 registration in this State which:

27 a. Is offered for rental or lease, without a driver, to be operated
28 by the lessee, his agent or servant, for purposes other than the
29 transportation of passengers for hire; and

30 b. Is leased or rented for a period of one year or more
31 following registration.

32 "Limited-access highway" means every highway, street, or
33 roadway in respect to which owners or occupants of abutting lands
34 and other persons have no legal right of access to or from the same
35 except at such points only and in such manner as may be
36 determined by the public authority having jurisdiction over such
37 highway, street, or roadway; and includes any highway designated
38 as a "freeway" or "parkway" by authority of law.

39 "Local authorities" means every county, municipal and other
40 local board or body having authority to adopt local police
41 regulations under the Constitution and laws of this State, including
42 every county governing body with relation to county roads.

43 "Low-speed electric bicycle" means a two or three-wheeled
44 vehicle with fully operable pedals and an electric motor of less than
45 750 watts, that meets the requirements of one of the following
46 classifications: "class 1 low-speed electric bicycle" which means a
47 low-speed electric bicycle equipped with a motor that provides
48 assistance only when the rider is pedaling, and that ceases to
49 provide assistance when the bicycle reaches the speed of 20 miles

1 per hour; or "class 2 low-speed electric bicycle" which means a
2 low-speed electric bicycle equipped with a motor that may be used
3 exclusively to propel the bicycle, and that is not capable of
4 providing assistance when the bicycle reaches the speed of 20 miles
5 per hour.

6 "Low-speed electric scooter" means a scooter with a floorboard
7 that can be stood upon by the operator, with handlebars, and an
8 electric motor that is capable of propelling the device with or
9 without human propulsion at a maximum speed of less than 19
10 miles per hour.

11 "Low-speed vehicle" means a four-wheeled low-speed vehicle,
12 as defined in 49 C.F.R. s.571.3(b), whose attainable speed is more
13 than 20 miles per hour but not more than 25 miles per hour on a
14 paved level surface and which is not powered by gasoline or diesel
15 fuel and complies with federal safety standards as set forth in 49
16 C.F.R. s.571.500.

17 "Magistrate" means any municipal court and the Superior Court,
18 and any officer having the powers of a committing magistrate and
19 the chief administrator.

20 "Manufacturer" means a person engaged in the business of
21 manufacturing or assembling motor vehicles, who will, under
22 normal business conditions during the year, manufacture or
23 assemble at least 10 new motor vehicles.

24 "Metal tire" means every tire the surface of which in contact with
25 the highway is wholly or partly of metal or other hard nonresilient
26 material.

27 "Mid-block crosswalk" means a crosswalk located away from an
28 intersection, distinctly indicated by lines or markings on the
29 surface.

30 "Motorized bicycle" means a pedal bicycle having a helper motor
31 characterized in that either the maximum piston displacement is less
32 than 50 cc. or said motor is rated at no more than 1.5 brake
33 horsepower or is powered by an electric drive motor and said
34 bicycle is capable of a maximum speed of no more than 25 miles
35 per hour on a flat surface or a pedal bicycle having an electric
36 motor that is capable of propelling the bicycle in excess of 20 miles
37 per hour with a maximum motor-powered speed of no more than 28
38 miles per hour on a flat surface. This term shall not include a low-
39 speed electric bicycle or low-speed electric scooter as defined in
40 this section.

41 "Motorcycle" includes motorcycles, autocycles, motor bikes,
42 bicycles with motor attached and all motor-operated vehicles of the
43 bicycle or tricycle type, except motorized bicycles, low-speed
44 electric bicycles, and low-speed electric scooters as defined in this
45 section, whether the motive power be a part thereof or attached
46 thereto and having a saddle or seat with driver sitting astride or
47 upon it or a platform on which the driver stands.

48 "Motor-drawn vehicle" includes trailers, semitrailers, or any
49 other type of vehicle drawn by a motor-driven vehicle.

1 "Motor vehicle" includes all vehicles propelled otherwise than by
2 muscular power, excepting such vehicles as run only upon rails or
3 tracks, low-speed electric bicycles, low-speed electric scooters, and
4 motorized bicycles.

5 "Motorized scooter" means a miniature motor vehicle and
6 includes, but is not limited to, pocket bikes, super pocket bikes,
7 scooters, mini-scooters, sport scooters, mini choppers, mini
8 motorcycles, motorized skateboards and other vehicles with motors
9 not manufactured in compliance with Federal Motor Vehicle Safety
10 Standards and which have no permanent Federal Safety
11 Certification stickers affixed to the vehicle by the original
12 manufacturer. This term shall not include: electric personal
13 assistive mobility devices, motorized bicycles, low-speed vehicles,
14 low-speed electric bicycles, or low-speed electric scooters; or
15 motorized wheelchairs, mobility scooters or similar mobility
16 assisting devices used by persons with physical disabilities, or
17 persons whose ambulatory mobility has been impaired by age or
18 illness.

19 "Motorized skateboard" means a skateboard that is propelled
20 otherwise than by muscular power.

21 "Motorized wheelchair" means any motor-driven wheelchair
22 utilized to increase the independent mobility, in the activities of
23 daily living, of an individual who has limited or no ambulation
24 abilities, and includes mobility scooters manufactured specifically
25 for such purposes and designed primarily for indoor use.

26 "Noncommercial truck" means every motor vehicle designed
27 primarily for transportation of property, and which is not a
28 "commercial vehicle."

29 "Official traffic control devices" means all signs, signals,
30 markings, and devices not inconsistent with this subtitle placed or
31 erected by authority of a public body or official having jurisdiction
32 for the purpose of regulating, warning, or guiding traffic.

33 "Omnibus" includes all motor vehicles used for the
34 transportation of passengers for hire, except commuter vans and
35 vehicles used in ridesharing arrangements and school buses, if the
36 same are not otherwise used in the transportation of passengers for
37 hire.

38 "Operator" means a person who is in actual physical control of a
39 vehicle or street car.

40 "Outside lane" means the lane nearest the curb or outer edge of
41 the roadway.

42 "Owner" means a person who holds the legal title of a vehicle, or
43 if a vehicle is the subject of an agreement for the conditional sale or
44 lease thereof with the right of purchase upon performance of the
45 conditions stated in the agreement and with an immediate right of
46 possession vested in the conditional vendee or lessee, or if a
47 mortgagor of a vehicle is entitled to possession, then the conditional
48 vendee, lessee or mortgagor shall be deemed the owner for the
49 purpose of this subtitle.

1 "Parking" means the standing or waiting on a street, road or
2 highway of a vehicle not actually engaged in receiving or
3 discharging passengers or merchandise, unless in obedience to
4 traffic regulations or traffic signs or signals.

5 "Passenger automobile" means all automobiles used and
6 designed for the transportation of passengers, other than omnibuses
7 and school buses.

8 "Pedestrian" means a person afoot.

9 "Person" includes natural persons, firms, copartnerships,
10 associations, and corporations.

11 ¹"Plug-in electric vehicle" means a vehicle that has a battery, or
12 an equivalent energy storage device, that can be charged from an
13 electricity supply external to the vehicle with an electric plug. This
14 term includes a plug-in hybrid electric vehicle.

15 "Plug-in hybrid electric vehicle" means a vehicle that can be
16 charged from a source of electricity external to the vehicle through
17 an electric plug, but is not exclusively powered by electricity.¹

18 "Pneumatic tire" means every tire in which compressed air is
19 designed to support the load.

20 "Pole trailer" means every vehicle without motive power
21 designed to be drawn by another vehicle and attached to the towing
22 vehicle by means of a reach, or pole, or by being boomed or
23 otherwise secured to the towing vehicle, and ordinarily used for
24 transporting long or irregularly shaped loads, such as poles, pipes,
25 or structural members capable, generally, of sustaining themselves
26 as beams between the supporting connections.

27 "Private road or driveway" means every road or driveway not
28 open to the use of the public for purposes of vehicular travel.

29 "Railroad train" means a steam engine, electric or other motor,
30 with or without cars coupled thereto, operated upon rails, except
31 street cars.

32 "REAL ID basic driver's license" means a basic driver's license
33 issued by the commission that complies with the provisions of the
34 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
35 supplementary thereto, and any federal regulations adopted
36 thereunder.

37 "REAL ID identification card" means an identification card
38 issued by the commission that complies with the provisions of the
39 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
40 supplementary thereto, and any federal regulations adopted
41 thereunder.

42 "REAL ID license" means any license to operate a motor vehicle
43 issued by the commission that complies with the provisions of the
44 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or
45 supplementary thereto, and any federal regulations adopted
46 thereunder.

47 "REAL ID motorcycle license" means a motorcycle license
48 issued by the commission that complies with the provisions of the
49 "REAL ID Act of 2005," Pub.L.109-13, any acts amendatory or

1 supplementary thereto, and any federal regulations adopted
2 thereunder.

3 "REAL ID probationary license" means a probationary license
4 issued by the commission that complies with the provisions of the
5 "REAL ID Act of 2005," ¹**【P.L.109-13】** Pub.L.109-13¹, any acts
6 amendatory or supplementary thereto, and any federal regulations
7 adopted thereunder.

8 "Recreation vehicle" means a self-propelled or towed vehicle
9 equipped to serve as temporary living quarters for recreational,
10 camping or travel purposes and used solely as a family or personal
11 conveyance.

12 "Residence district" means that portion of a highway and the
13 territory contiguous thereto, not comprising a business district,
14 where within any 600 feet along such highway there are buildings
15 in use for business or residential purposes which occupy 300 feet or
16 more of frontage on at least one side of the highway.

17 "Ridesharing" means the transportation of persons in a motor
18 vehicle, with a maximum carrying capacity of not more than 15
19 passengers, including the driver, where such transportation is
20 incidental to the purpose of the driver. The term shall include such
21 ridesharing arrangements known as car pools and van pools.

22 "Right-of-way" means the privilege of the immediate use of the
23 highway.

24 "Road tractor" means every motor vehicle designed and used for
25 drawing other vehicles and not so constructed as to carry any load
26 thereon either independently or any part of the weight of a vehicle
27 or load so drawn.

28 "Roadway" means that portion of a highway improved, designed,
29 or ordinarily used for vehicular travel, exclusive of the berm or
30 shoulder. In the event a highway includes two or more separate
31 roadways, the term "roadway" as used herein shall refer to any such
32 roadway separately, but not to all such roadways, collectively.

33 "Safety zone" means the area or space officially set aside within
34 a highway for the exclusive use of pedestrians, which is so plainly
35 marked or indicated by proper signs as to be plainly visible at all
36 times while set apart as a safety zone.

37 "School bus" means every motor vehicle operated by, or under
38 contract with, a public or governmental agency, or religious or other
39 charitable organization or corporation, or privately operated for the
40 transportation of children to or from school for secular or religious
41 education, which complies with the regulations of the New Jersey
42 Motor Vehicle Commission affecting school buses, including
43 "School Vehicle Type I" and "School Vehicle Type II" as defined
44 below:

45 "School Vehicle Type I" means any vehicle designed to transport
46 16 or more passengers, including the driver, used to transport
47 enrolled children, and adults only when serving as chaperones, to or
48 from a school, school connected activity, day camp, summer day
49 camp, summer residence camp, nursery school, child care center,

1 preschool center or other similar places of education. Such vehicle
2 shall comply with the regulations of the New Jersey Motor Vehicle
3 Commission and either the Department of Education or the
4 Department of Human Services, whichever is the appropriate
5 supervising agency.

6 "School Vehicle Type II" means any vehicle designed to
7 transport less than 16 passengers, including the driver, used to
8 transport enrolled children, and adults only when serving as
9 chaperones, to or from a school, school connected activity, day
10 camp, summer day camp, summer residence camp, nursery school,
11 child care center, preschool center or other similar places of
12 education. Such vehicle shall comply with the regulations of the
13 New Jersey Motor Vehicle Commission and either the Department
14 of Education or the Department of Human Services, whichever is
15 the appropriate supervising agency.

16 "School zone" means that portion of a highway which is either
17 contiguous to territory occupied by a school building or is where
18 school crossings are established in the vicinity of a school, upon
19 which are maintained appropriate "school signs" in accordance with
20 specifications adopted by the chief administrator and in accordance
21 with law.

22 "School crossing" means that portion of a highway where school
23 children are required to cross the highway in the vicinity of a
24 school.

25 "Semitrailer" means every vehicle with or without motive power,
26 other than a pole trailer, designed for carrying persons or property
27 and for being drawn by a motor vehicle and so constructed that
28 some part of its weight and that of its load rests upon or is carried
29 by another vehicle.

30 "Shipper" means any person who shall deliver, or cause to be
31 delivered, any commodity, produce or article for transportation as
32 the contents or load of a commercial motor vehicle. In the case of a
33 sealed ocean container, "shipper" shall not be construed to include
34 any person whose activities with respect to the shipment are limited
35 to the solicitation or negotiation of the sale, resale, or exchange of
36 the commodity, produce or article within that container.

37 "Shoulder" means that portion of the highway, exclusive of and
38 bordering the roadway, designed for emergency use but not
39 ordinarily to be used for vehicular travel.

40 "Sidewalk" means that portion of a highway intended for the use
41 of pedestrians, between the curb line or the lateral line of a
42 shoulder, or if none, the lateral line of the roadway and the adjacent
43 right-of-way line.

44 "Sign." See "Official traffic control devices."

45 "Slow-moving vehicle" means a vehicle run at a speed less than
46 the maximum speed then and there permissible.

47 "Solid tire" means every tire of rubber or other resilient material
48 which does not depend upon compressed air for the support of the
49 load.

1 "Standard" means, when used to describe any license to operate a
2 motor vehicle or any identification card issued by the commission
3 under the provisions of this Title, that the issuance of the license or
4 identification card does not require proof of lawful presence in the
5 United States.

6 "Street" means the same as highway.

7 "Street car" means a car other than a railroad train, for
8 transporting persons or property and operated upon rails principally
9 within a municipality.

10 "Stop," when required, means complete cessation from
11 movement.

12 "Stopping or standing," when prohibited, means any cessation of
13 movement of a vehicle, whether occupied or not, except when
14 necessary to avoid conflict with other traffic or in compliance with
15 the directions of a police officer or traffic control sign or signal.

16 "Suburban business or residential district" means that portion of
17 highway and the territory contiguous thereto, where within any
18 1,320 feet along that highway there is land in use for business or
19 residential purposes and that land occupies more than 660 feet of
20 frontage on one side or collectively more than 660 feet of frontage
21 on both sides of that roadway.

22 "Through highway" means every highway or portion thereof at
23 the entrances to which vehicular traffic from intersecting highways
24 is required by law to stop before entering or crossing the same and
25 when stop signs are erected as provided in this chapter.

26 "Trackless trolley" means every motor vehicle which is propelled
27 by electric power obtained from overhead trolley wires but not
28 operated upon rails.

29 "Traffic" means pedestrians, ridden or herded animals, vehicles,
30 street cars, and other conveyances either singly, or together, while
31 using any highway for purposes of travel.

32 "Traffic control signal" means a device, whether manually,
33 electrically, mechanically, or otherwise controlled, by which traffic
34 is alternately directed to stop and to proceed.

35 "Trailer" means every vehicle with or without motive power,
36 other than a pole trailer, designed for carrying persons or property
37 and for being drawn by a motor vehicle and so constructed that no
38 part of its weight rests upon the towing vehicle.

39 "Truck" means every motor vehicle designed, used, or
40 maintained primarily for the transportation of property.

41 "Truck tractor" means every motor vehicle designed and used
42 primarily for drawing other vehicles and not so constructed as to
43 carry a load other than a part of the weight of the vehicle and load
44 so drawn.

45 "Van pooling" means seven or more persons commuting on a
46 daily basis to and from work by means of a vehicle with a seating
47 arrangement designed to carry seven to 15 adult passengers.

48 "Vehicle" means every device in, upon or by which a person or
49 property is or may be transported upon a highway, excepting

1 devices moved by human power or used exclusively upon stationary
2 rails or tracks or low-speed electric bicycles, low-speed electric
3 scooters, or motorized bicycles.
4 (cf: P.L.2022, c.16, s.2)

5

6 2. R.S.39:4-138 is amended to read as follows:

7 39:4-138. Except when necessary to avoid conflict with other
8 traffic or in compliance with the directions of a traffic or police
9 officer or traffic sign or signal, no operator of a vehicle shall stand
10 or park the vehicle in any of the following places:

11 a. Within an intersection;

12 b. On a crosswalk;

13 c. Between a safety zone and the adjacent curb or within at
14 least 20 feet of a point on the curb immediately opposite the end of
15 a safety zone;

16 d. In front of a public or private driveway;

17 e. (1) Within 25 feet of the nearest crosswalk or side line of a
18 street or intersecting highway, except at alleys and as provided in
19 section 2 of P.L.2009, c.257 (C.39:4-138.6); or

20 (2) Within 10 feet of the nearest crosswalk or side line of a
21 street or intersecting highway, if a curb extension or bulbout has
22 been constructed at that crosswalk;

23 f. On a sidewalk;

24 g. In any appropriately marked "No Parking" space established
25 pursuant to the duly promulgated regulations of the Commissioner
26 of

27 Transportation;

28 h. Within 50 feet of a "stop" sign except as provided in section
29 2 of P.L.2009, c.257 (C.39:4-138.6);

30 i. Within 10 feet of a fire hydrant;

31 j. Within 50 feet of the nearest rail of a railroad crossing;

32 k. Within 20 feet of the driveway entrance to any fire station
33 and on the side of a street opposite the entrance to any fire station
34 within 75 feet of said entrance, when properly signposted;

35 l. Alongside or opposite any street excavation or obstruction
36 when stopping, standing, or parking would obstruct traffic, when
37 properly signposted;

38 m. On the roadway side of any vehicle stopped or parked at the
39 edge or curb of a street;

40 n. Upon any bridge or other elevated structure upon a highway,
41 or within a highway tunnel or underpass, or on the immediate
42 approaches thereto except where space for parking is provided;

43 o. In any space on public or private property appropriately
44 marked for vehicles for persons with disabilities pursuant to
45 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et
46 seq.) or any other applicable law unless the vehicle is authorized by
47 law to be parked therein and a person with a disability is either the
48 driver or a passenger in that vehicle. State, county, or municipal law
49 enforcement officers or parking enforcement authority officers shall

1 enforce the parking restrictions on spaces appropriately marked for
2 vehicles for persons with disabilities on both public and private
3 property;

4 p. In any electric vehicle charging space if the vehicle is a non-
5 electric vehicle or is a plug-in electric vehicle, including a battery
6 electric vehicle or plug-in hybrid electric vehicle, that is not
7 actively charging and where the space is clearly marked with
8 signage and pavement markings indicating the space is reserved for
9 plug-in electric vehicles that are actively charging, which signage
10 and pavement markings shall be visible during the day and night.

11 An individual who violates the provisions of this subsection shall
12 be subject to a fine of \$55 for the first offense, \$100 for the second
13 offense, and \$200 for the third and each subsequent offense.
14 Towing of vehicles found to be in violation of this subsection shall
15 be at the discretion of the municipality in which the electric vehicle
16 charging space is located. ¹In the event that a municipality exercises
17 its discretion to tow a vehicle pursuant to this subsection, the
18 registered owner or lessee of the vehicle shall be responsible for all
19 towing and storage costs.¹

20 No person shall move a vehicle not lawfully under the person's
21 control into any such prohibited area or away from a curb such
22 distance as is unlawful.

23 (cf: P.L.2017, c.131, s.157)

24

25 3. This act shall take effect immediately.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 4134

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 17, 2025

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 4134.

As amended and reported, this bill adds electric vehicle charging spaces to the locations where an operator of a motor vehicle is prohibited from parking under certain circumstances.

Under the bill, an individual is prohibited from parking in an electric vehicle charging space if: (1) the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging; and (2) the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging. The bill provides that the signage and pavement markings are required to be visible during the day and night. Additionally, an individual who violates the bill's provisions is subject to a fine of \$55 for the first offense, \$100 for the second offense, and \$200 for the third and each subsequent offense. Towing of vehicles found to be in violation of the bill's provisions is to be at the discretion of the municipality in which the electric vehicle charging space is located. In the event that a municipality exercises its discretion to tow a vehicle from an electric vehicle charging space, the registered owner or lessee of the vehicle is to be responsible for all towing and storage costs.

The bill defines "electric vehicle charging space" as a publicly accessible charging space or set of charging spaces, with visible signage indicating that the charging space or spaces are available for use by the public for charging plug-in electric vehicles. A "plug-in electric vehicle" is defined as a vehicle that has a battery, or an equivalent energy storage device, that can be charged from an electricity supply external to the vehicle with an electric plug, and includes a plug-in hybrid electric vehicle. A "plug-in hybrid electric vehicle" is defined as a vehicle that can be charged from a source of electricity external to the vehicle through an electric plug, but is not exclusively powered by electricity.

As amended and reported by the committee, Senate Bill No. 4134 is identical to Assembly Bill No. 3035 (1R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) clarify that, in the event that a municipality exercises its discretion to tow an individual's vehicle from an electric vehicle charging space, the registered owner or lessee of the vehicle is responsible for paying all towing and storage costs;
- (2) define "plug-in electric vehicle" and "plug-in hybrid electric vehicle"; and
- (3) make technical corrections.