

39:4-197

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:4-197; 39:4-197.5 (Parking spaces--restricted--authorize municipalities to designate)  
LAWS 1980 CHAPTER 178  
Bill No. A515  
Sponsor(s) Cowan, Janiszewski and Baer  
Date Introduced Pre-filed  
Committee: Assembly State Govt., Federal & Interstate Relations & Veterans Affairs  
Senate Transportation & Communications

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks  
Date of Passage: Assembly Feb. 21, 1980  
Senate Nov. 10, 1980  
Date of approval Dec. 31, 1980

Following statements are attached if available:

Sponsor statement	Yes	<del>No</del>
Committee Statement: Assembly	<del>Yes</del>	No
Senate	Yes	<del>No</del>
Fiscal Note	<del>Yes</del>	No
Veto Message	<del>Yes</del>	No
Message on signing	<del>Yes</del>	No

Following were printed:

Reports	<del>Yes</del>	No
Hearings	<del>Yes</del>	No

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**ASSEMBLY, No. 515****STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Assemblymen COWAN, JANISZEWSKI and BAER

AN ACT to amend the title of "An act authorizing municipalities to enact ordinances establishing restricted parking spaces for use by persons with special vehicle identification cards and supplementing Title 40 of the Revised Statutes," approved August 30, 1977 (P. L. 1977, c. 202), so that the same shall read "An act authorizing municipalities to enact ordinances, resolutions or regulations establishing restricted parking spaces for use by persons with special vehicle identification cards and supplementing Title 40 of the Revised Statutes," and to amend the body of said act and R. S. 39:4-197.

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

1 1. The title of P. L. 1977, c. 202 is amended to read as follows:  
2 An act authorizing municipalities to enact ordinances, *resolutions*  
3 *or regulations* establishing restricted parking spaces for use by  
4 persons with special vehicle identification cards and supplementing  
5 Title 40 of the Revised Statutes.

1 2. Section 1 of P. L. 1977, c. 202 (C. 39:4-197.5) is amended to  
2 read as follows:

3 1. Any municipality may, by ordinance, *resolution or regulation*,  
4 establish restricted parking spaces in front of residences, schools,  
5 hospitals and other public buildings and in shopping and business  
6 districts for use by persons who have been issued special vehicle  
7 identification cards by the Division of Motor Vehicles pursuant to  
8 the provisions of section 2 of P. L. 1949, c. 280 (C. 39:4-205), when  
9 using a motor vehicle on which is displayed a certificate, for which  
10 a special vehicle identification card has been issued, pursuant to  
11 section 3 of said law (C. 39:4-206).

1 3. R. S. 39:4-197 is amended to read as follows:

2 39:4-197. No municipality shall pass an ordinance or resolution

3 on a matter covered by or which alters or in any way nullifies the  
4 provisions of this chapter or any supplement to this chapter; ex-  
5 cept that a municipality may pass ordinances or resolutions, or  
6 by ordinances or resolutions may authorize the adoption of regu-  
7 lations by the board, body or official having control of traffic in the  
8 public streets, regulating special conditions existent in the munici-  
9 pality on the subjects and within the limitations following:

10 (1) Ordinance.

11 a. Altering speed limitations as provided in section 39:4-98  
12 of this Title;

13 b. Limiting use of streets to certain class of vehicles;

14 c. Designating one-way streets;

15 d. Regulating the stopping or starting of street cars at special  
16 places such as railroad stations, public squares or in front of  
17 certain public buildings;

18 e. Regulating the passage or stopping of traffic at certain con-  
19 gested street corners or other designated points;

20 f. Regulating the parking of vehicles on streets and portions  
21 thereof including angle parking as provided in section 39:4-135  
22 of this Title;

23 g. Regulating the parking of vehicles upon land owned or leased  
24 and maintained by the municipality, a parking authority or the  
25 board of education of a school district, including any lands de-  
26 voted to the public parking of vehicles, the entrances thereto and  
27 exits therefrom;

28 h. Regulating the entrances to and exits from parking yards  
29 and parking places which are open to the public or to which the  
30 the public is invited, except that this shall not apply to entrances  
31 or exits to and from State highways;

32 i. Designating streets or roads upon which buses and trucks  
33 over 4 tons gross weight may be required not to exceed specially  
34 fixed limits based on engineering and traffic investigation and to  
35 use a lower gear in descending steep declivities having a grade in  
36 excess of 5% fixing such special speed limits and providing for  
37 the use of such a gear thereon.

38 (2) Ordinance or resolution.

39 a. Designating through streets as provided in article 17 of this  
40 chapter (39:4-140 et seq.);

41 b. Designating and providing for the maintenance as "no pass-  
42 ing" zones of portions of highway where overtaking and passing  
43 or driving to the left of the roadway is deemed especially haz-  
44 ardous.

- 45 (3) Ordinance, resolution or regulation.  
46 a. Designating stops, stations or stands for omnibuses and taxis;  
47 b. Designating curb loading zones;  
48 c. *Designating restricted parking spaces for use by persons who*  
49 *have been issued special vehicle identification cards by the Division*  
50 *of Motor Vehicles pursuant to the provisions of section 2 of P. L.*  
51 *1949, c. 280 (C. 39:4-205) and section 1 of P. L. 1977, c. 202*  
52 *(C. 39:4-197.5). \*Any person parking a motor vehicle in a re-*  
53 *stricted parking space without a special vehicle identification card*  
54 *shall be liable to a penalty not to exceed \$50.00.\**
- 1 4. This act shall take effect immediately.
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- 45 (3) Ordinance, resolution or regulation.  
 46 a. Designating stops, stations or stands for omnibuses and taxis;  
 47 b. Designating curb loading zones;  
 48 c. *Designating restricted parking spaces for use by persons who*  
 49 *have been issued special vehicle identification cards by the Division*  
 50 *of Motor Vehicles pursuant to the provisions of section 2 of P. L.*  
 51 *1949, c. 280 (C. 39:4-205) and section 1 of P. L. 1977, c. 202*  
 52 *(C. 39:4-197.5).*
- 1 4. This act shall take effect immediately.

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STATEMENT

This bill permits municipalities to establish by resolution or regulation, restricted parking spaces for handicapped persons possessing special vehicle I.D. cards issued by the Department of Motor Vehicles. Presently, this may be accomplished only by adoption of an ordinance entailing a costly and time consuming hearing and publication process. The establishment of parking spaces by resolution or regulation would speed the process while reducing costs. Parking spaces established in such a manner would continue to be reviewed by the Department of Transportation. A spokesman for the Department of Transportation, in an informal opinion, approved the bill, advising that it would enable municipalities to quickly and inexpensively revise proposed parking resolutions, in light of departmental recommendations.

A515 (1980)

SENATE TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 515**  
with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 6, 1980

This legislation authorizes municipalities, by resolution or regulation, to establish restricted parking spaces for persons possessing special vehicle identification cards issued by the Division of Motor Vehicles. At the present time, such restricted parking spaces must be established by ordinance.

The intent of this bill is to help handicapped persons by facilitating the process whereby municipalities can establish parking spaces for them.

The legislation was amended to provide for a fine of \$50.00 for any person parking a motor vehicle in a restricted parking space without a special vehicle identification card.