

52:27D-25hh

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 453
NJSA: 52:27D-25hh (Emblems on house to identify persons with disabilities)
BILL NO: S2503

SPONSOR(S): Gormley and DiFrancesco

DATE INTRODUCED: June 28, 2001

COMMITTEE: **ASSEMBLY:** Housing

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 3, 2002

SENATE: January 7, 2001

DATE OF APPROVAL: January 14, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)
S2503

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

SENATE, No. 2503

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 28, 2001

Sponsored by:

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

Senator DONALD T. DIFRANCESCO

District 22 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

Senator Allen

SYNOPSIS

Allows use of an emblem on a residential dwelling to identify handicapped persons in an emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/4/2001)

1 AN ACT concerning handicapped persons in emergency situations and
2 supplementing chapter 27D of Title 52 of the Revised Statutes.

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

6
7 1. a. The Director of the Division of Fire Safety in the Department
8 of Community Affairs shall issue a handicapped person identification
9 emblem upon the proper application therefor by a qualified
10 handicapped person. The emblem, when affixed to the window of a
11 residential dwelling, shall serve to alert firefighters, medical, rescue or
12 law enforcement personnel, when responding to an emergency
13 situation, that a handicapped person may be present therein and may
14 require special assistance. The director, in consultation with
15 appropriate State agencies and organizations representing handicapped
16 individuals, shall determine the design and size of the emblem and the
17 location and manner in which it shall be affixed to the dwelling. The
18 director shall promulgate rules and regulations pursuant to the
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
20 seq.) necessary to effectuate the purposes of this act.

21 b. A handicapped person may apply for an emblem to the Director
22 of the Division of Fire Safety. After due investigation of the qualifying
23 status of each applicant, the director shall issue the emblem. An
24 emblem issued pursuant to this section shall be nontransferable and
25 shall be removed from a dwelling when a qualified handicapped person
26 no longer resides in that dwelling.

27 As used in this section, "handicapped person" means a person who
28 has lost the use of one or more limbs as a consequence of paralysis,
29 amputation, or other permanent disability or who is permanently
30 disabled as to be unable to ambulate without the aid of an assisting
31 device or whose mobility is otherwise limited as certified by a
32 physician with a plenary license to practice medicine and surgery; a
33 podiatrist licensed to practice in this State or a bordering state; a
34 physician stationed at a military or naval installation located in this
35 State who is licensed to practice in any state; or, a chiropractic
36 physician licensed to practice in this State or a bordering state.

37
38 2. This act shall take effect on the 180th day following the date of
39 enactment.

40
41

42 STATEMENT

43
44 This bill requires the Director of the Division of Fire Safety, in
45 consultation with appropriate State agencies and organizations

S2503 GORMLEY, DIFRANCESCO

3

1 representing handicapped individuals, to create an easily recognizable
2 emblem identifying the presence of a handicapped person in a
3 residential dwelling who may require special assistance by first aid,
4 fire, ambulance, rescue squads or other emergency personnel.

5 This bill also authorizes the Director of the Division of Fire Safety
6 to issue this emblem to qualified handicapped persons who apply for
7 it.

8 The sponsor also wishes to recognize Mr. Leonard Hollander for
9 his accomplishments and efforts on behalf of the March of Dimes and
10 the disabled community within this State.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

SENATE, No. 2503

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2001

The Assembly Housing Committee reports favorably and with committee amendments Senate Bill No. 2503.

This bill, as amended, requires the Director of the Division of Fire Safety, in consultation with appropriate State agencies and organizations representing individuals with disabilities to create an easily recognizable emblem identifying the presence of a person with a disability in a residential dwelling who may require special assistance by first aid, fire, ambulance, rescue squads or other emergency personnel.

This bill also authorizes the Director of the Division of Fire Safety to issue this emblem to qualified persons with a disability who apply for it.

The committee amended the bill to eliminate the term "handicapped" and replace it with the term "persons with disabilities." In addition, a new definition of disabled was included which is based in part on the definition of the term as used under motor vehicle statutes.

[First Reprint]

SENATE, No. 2503

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JUNE 28, 2001

Sponsored by:

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

Senator DONALD T. DIFRANCESCO

District 22 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

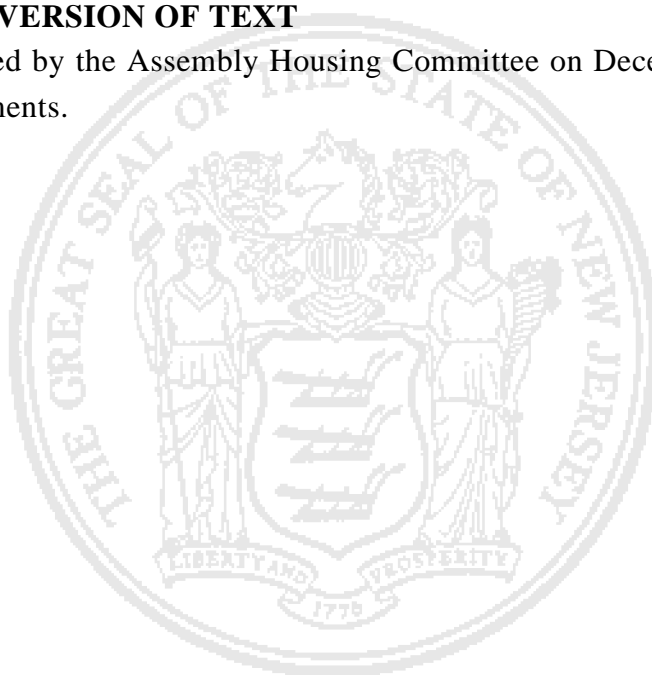
Senator Allen

SYNOPSIS

Allows use of an emblem on a residential dwelling to identify persons with disabilities in an emergency.

CURRENT VERSION OF TEXT

As reported by the Assembly Housing Committee on December 6, 2001, with amendments.



(Sponsorship Updated As Of: 10/4/2001)

S2503 [1R] GORMLEY, DIFRANCESCO

2

1 AN ACT concerning ¹[handicapped]¹ persons ¹with disabilities¹ in
2 emergency situations and supplementing chapter 27D of Title 52 of
3 the Revised Statutes.

4

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

7

8 1. a. The Director of the Division of Fire Safety in the Department
9 of Community Affairs shall issue a ¹[handicapped]¹ person ¹with a
10 disability¹ identification emblem upon the proper application therefor
11 by a qualified ¹[handicapped]¹ person ¹with a disability¹. The
12 emblem, when affixed to the window of a residential dwelling, shall
13 serve to alert firefighters, medical, rescue or law enforcement
14 personnel, when responding to an emergency situation, that a
15 ¹[handicapped]¹ person ¹with a disability¹ may be present therein
16 and may require special assistance. The director, in consultation with
17 appropriate State agencies and organizations representing
18 ¹[handicapped]¹ individuals ¹with disabilities¹, shall determine the
19 design and size of the emblem and the location and manner in which
20 it shall be affixed to the dwelling. The director shall promulgate rules
21 and regulations pursuant to the "Administrative Procedure Act,"
22 P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the
23 purposes of this act.

24 b. A ¹[handicapped]¹ person ¹with a disability¹ may apply for an
25 emblem to the Director of the Division of Fire Safety. After due
26 investigation of the qualifying status of each applicant, the director
27 shall issue the emblem. An emblem issued pursuant to this section shall
28 be nontransferable and shall be removed from a dwelling when a
29 qualified ¹[handicapped]¹ person ¹with a disability¹ no longer resides
30 in that dwelling.

31 As used in this section, "¹[handicapped]¹ person ¹with a
32 disability¹" means a person who ¹[has lost the use of one or more
33 limbs as a consequence of paralysis, amputation, or other permanent
34 disability or who is permanently disabled as to be unable to ambulate
35 without the aid of an assisting device or whose mobility is otherwise
36 limited as certified by a physician with a plenary license to practice
37 medicine and surgery; a podiatrist licensed to practice in this State or
38 a bordering state; a physician stationed at a military or naval
39 installation located in this State who is licensed to practice in any
40 state; or, a chiropractic physician licensed to practice in this State or
41 a bordering state.] is severely and permanently disabled and cannot

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHO committee amendments adopted December 6, 2001.

1 ambulate without the use of assistive devices, such as a cane, crutch,
2 wheelchair, prosthetic device or other person, or someone who suffers
3 from lung disease or uses portable oxygen, or someone who has a
4 cardiac condition to the extent that the person's functional limitations
5 are classified in severity as a class III or class IV, according to the
6 American Heart Association, or someone who is deaf or hard of
7 hearing, or an individual who has permanent sight impairment in both
8 eyes as certified by the New Jersey Commission for the Blind or whose
9 ability to walk is severely and permanently limited due to an arthritic,
10 neurological, or orthopedic condition. The disability must be certified
11 by a licensed medical doctor, podiatrist or physician licensed to
12 practice in New Jersey or a bordering state.¹

13

14 2. This act shall take effect on the 180th day following the date of
15 enactment.

P.L. 2001, CHAPTER 453, *approved January 14, 2002*

Senate, No. 2503 (*First Reprint*)

1 AN ACT concerning ¹[handicapped]¹ persons ¹with disabilities¹ in
2 emergency situations and supplementing chapter 27D of Title 52 of
3 the Revised Statutes.

4

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

7

8 1. a. The Director of the Division of Fire Safety in the Department
9 of Community Affairs shall issue a ¹[handicapped]¹ person ¹with a
10 disability¹ identification emblem upon the proper application therefor
11 by a qualified ¹[handicapped]¹ person ¹with a disability¹. The
12 emblem, when affixed to the window of a residential dwelling, shall
13 serve to alert firefighters, medical, rescue or law enforcement
14 personnel, when responding to an emergency situation, that a
15 ¹[handicapped]¹ person ¹with a disability¹ may be present therein
16 and may require special assistance. The director, in consultation with
17 appropriate State agencies and organizations representing
18 ¹[handicapped]¹ individuals ¹with disabilities¹, shall determine the
19 design and size of the emblem and the location and manner in which
20 it shall be affixed to the dwelling. The director shall promulgate rules
21 and regulations pursuant to the "Administrative Procedure Act,"
22 P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the
23 purposes of this act.

24 b. A ¹[handicapped]¹ person ¹with a disability¹ may apply for an
25 emblem to the Director of the Division of Fire Safety. After due
26 investigation of the qualifying status of each applicant, the director
27 shall issue the emblem. An emblem issued pursuant to this section shall
28 be nontransferable and shall be removed from a dwelling when a
29 qualified ¹[handicapped]¹ person ¹with a disability¹ no longer resides
30 in that dwelling.

31 As used in this section, "¹[handicapped]¹ person ¹with a
32 disability¹" means a person who ¹[has lost the use of one or more
33 limbs as a consequence of paralysis, amputation, or other permanent
34 disability or who is permanently disabled as to be unable to ambulate
35 without the aid of an assisting device or whose mobility is otherwise
36 limited as certified by a physician with a plenary license to practice
37 medicine and surgery; a podiatrist licensed to practice in this State or
38 a bordering state; a physician stationed at a military or naval
39 installation located in this State who is licensed to practice in any

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHO committee amendments adopted December 6, 2001.

1 state; or, a chiropractic physician licensed to practice in this State or
2 a bordering state.] is severely and permanently disabled and cannot
3 ambulate without the use of assistive devices, such as a cane, crutch,
4 wheelchair, prosthetic device or other person, or someone who suffers
5 from lung disease or uses portable oxygen, or someone who has a
6 cardiac condition to the extent that the person's functional limitations
7 are classified in severity as a class III or class IV, according to the
8 American Heart Association, or someone who is deaf or hard of
9 hearing, or an individual who has permanent sight impairment in both
10 eyes as certified by the New Jersey Commission for the Blind or whose
11 ability to walk is severely and permanently limited due to an arthritic,
12 neurological, or orthopedic condition. The disability must be certified
13 by a licensed medical doctor, podiatrist or physician licensed to
14 practice in New Jersey or a bordering state.¹

15

16 2. This act shall take effect on the 180th day following the date of
17 enactment.

18

19

20

21

22 Allows use of an emblem on a residential dwelling to identify persons
23 with disabilities in an emergency.

CHAPTER 453

AN ACT concerning persons with disabilities in emergency situations and supplementing chapter 27D of Title 52 of the Revised Statutes.

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

C.52:27D-25hh Emblem on residential dwelling to identify persons with disabilities.

1. a. The Director of the Division of Fire Safety in the Department of Community Affairs shall issue a person with a disability identification emblem upon the proper application therefor by a qualified person with a disability. The emblem, when affixed to the window of a residential dwelling, shall serve to alert firefighters, medical, rescue or law enforcement personnel, when responding to an emergency situation, that a person with a disability may be present therein and may require special assistance. The director, in consultation with appropriate State agencies and organizations representing individuals with disabilities, shall determine the design and size of the emblem and the location and manner in which it shall be affixed to the dwelling. The director shall promulgate rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this act.

b. A person with a disability may apply for an emblem to the Director of the Division of Fire Safety. After due investigation of the qualifying status of each applicant, the director shall issue the emblem. An emblem issued pursuant to this section shall be nontransferable and shall be removed from a dwelling when a qualified person with a disability no longer resides in that dwelling.

As used in this section, "person with a disability" means a person who is severely and permanently disabled and cannot ambulate without the use of assistive devices, such as a cane, crutch, wheelchair, prosthetic device or other person, or someone who suffers from lung disease or uses portable oxygen, or someone who has a cardiac condition to the extent that the person's functional limitations are classified in severity as a class III or class IV, according to the American Heart Association, or someone who is deaf or hard of hearing, or an individual who has permanent sight impairment in both eyes as certified by the New Jersey Commission for the Blind or whose ability to walk is severely and permanently limited due to an arthritic, neurological, or orthopedic condition. The disability must be certified by a licensed medical doctor, podiatrist or physician licensed to practice in New Jersey or a bordering state.

2. This act shall take effect on the 180th day following the date of enactment.

Approved January 14, 2002.