

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:14-146 (Special policemen - must pass course before can carry firearms)

LAWS OF: 1982

CHAPTER: 226

Bill No.: S2055

Sponsor(s): Lipman

Date Introduced: Dec. 20, 1982

Committee:

Assembly: _____

Senate: _____

Amended during passage /// No

Date of Passage: Assembly: Dec. 30, 1982

Senate: Dec. 20, 1982

Date of Approval: Dec. 31, 1982

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly /// No

Senate /// No

Fiscal Note: /// No

Veto Message /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

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SENATE, No. 2055

STATE OF NEW JERSEY

INTRODUCED DECEMBER 20, 1982

By Senator LIPMAN

(Without Reference)

AN ACT concerning Special Police and amending N. J. S.
40A:14-146.

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

1 1. N. J. S. 40A:14-146 is amended to read as follows:

2 40A:14-146. The governing body of any municipality, whenever
3 they shall deem it necessary, may appoint special policemen for
4 terms not exceeding one year and revoke such appointments without
5 cause or hearing. They shall not be members of the police force,
6 and their powers and duties shall cease at the expiration of the
7 terms for which they were appointed or upon revocation of their
8 appointments. They may be furnished with badges upon the deposit
9 of sums to be fixed by the governing body, which may be refunded
10 on the return of the badges. A fee to be fixed by the governing
11 body may be charged for issuing to any such special policeman a
12 certificate of appointment.

13 No person shall be appointed as a special policeman unless he:

14 (1) Is a citizen of the United States;

15 (2) Is able to read, write and speak the English language well
16 and intelligently and possesses a high school diploma or its equi-
17 valent, *or has at least three years experience as a special policeman,*
18 *or has at least three years combined experience as a special police-*
19 *man and violations officer;*

20 (3) Is sound in body and mind and of good health;

21 (4) Is of good moral character;

22 (5) Has not been convicted of any criminal offense involving
23 moral turpitude[; and].

**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 printed in italics thus is new matter.

24 **[(6) Is]** *No person who is appointed a special policeman under*
25 *this section shall be permitted to carry a firearm unless he or she is*
26 *capable of obtaining a passing grade in a course of study on fire-*
27 *arms, powers of arrest, and criminal law and procedure, given by*
28 *the appointing authority under the supervision and control of the*
29 *local police department.*

30 No such special policeman shall carry a revolver or other similar
31 weapon when off duty; provided, however, that if any such special
32 policeman appointed by the governing body of any municipality
33 having a population in excess of 300,000, according to the 1980
34 federal census who is a resident of the municipality and is employed
35 as a special policeman at least 35 hours per week, or less at the
36 discretion of the director of the municipal police force and mayor,
37 shall, at the direction of the director of the municipal police force,
38 have taken and successfully completed a firearms training course
39 administered by the Police Training Commission, pursuant to P. L.
40 1961, c. 56 (C. 52:17B-66 et seq.) and has successfully completed
41 within 3 years of the effective date of this act all other training
42 courses required of the permanent police officers in that munici-
43 pality, said special policeman shall be permitted to carry a revolver
44 or other similar weapon when off duty within the municipality
45 where he is employed. Specific authorization shall be in the form
46 of a permit, which is subject to renewal annually and may be
47 revoked at any time by the director. The permit shall be on the
48 person of the special policeman whenever a revolver or other
49 similar weapon is carried off duty. No such permit shall be issued
50 until the special police officer has successfully completed all training
51 courses required under this section.

52 Every such special policeman shall have his fingerprints taken
53 and they shall be filed with the Division of State Police and the
54 Federal Bureau of Investigation. He shall be under the super-
55 vision and direction of the chief of police of the municipality
56 wherein he is appointed and shall perform his duties only in such
57 municipality unless in fresh pursuit of any person pursuant to
58 chapter 156 (uniform act on intrastate fresh pursuit) of Title 2A
59 of the New Jersey Statutes. He shall comply with the rules and
60 regulations applicable to the conduct and decorum of the regular
61 policemen of the municipality.

62 Before any such appointment is made the chief of police of the
63 municipality shall ascertain the eligibility, character, integrity,
64 psychological fitness and qualifications of the applicant for the
65 position and make a report thereon to the governing body.

1 2. This act shall take effect immediately.

STATEMENT

Until several years ago, parking authority officers and parking meter enforcement officers were classified as "Violations Officers". These officers were then required to become special policemen. Earlier this year, Assembly Bill No. 940, which was signed into law as Chapter 154 of the Laws of 1982, amended the requirements to be a special policeman. One of the new requirements is to be able to obtain a passing grade on a course of study on firearms, powers of arrest, and criminal law. Parking authority special policemen do not carry firearms and do not need to be able to complete this training. If Chapter 154 is not amended, most parking authority special policemen and "meter maids" in towns throughout the State will lose their jobs. This bill amends N. J. S. 40A:14-146 so as to make the requirement of passing a course of study on firearms a requirement for special policemen to bear firearms and not a requirement to be a special policeman.

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S2055 (1982)