

39:4-197.6, 39:4-197.7

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:4-197.6, 39:4-197.7 (Handicapped-Restricted parking Spaces.)

Laws of 1977 Chapter 309

Bill No. S676

Sponsor(s) Bedell, Hagedorn, Dodd

Date Introduced Pre-filed

Committee: Assembly Municipal Government

Senate Law, Public Safety & Defense

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

Date of passage: Assembly October 3, 1977

Senate January 17, 1977

Date of approval January 5, 1978

Following statements are attached if available:

Sponsor statement Yes ~~No~~ Below

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's Statement:

The purpose of this bill is to allow municipalities, by ordinance, to establish restricted parking zones in front of residences for use by handicapped persons whose mobility is impaired. (over)

Do Not Remove From Library DEPOSITORY COPY

1978

10/4/76

Recommendation for legislation in:

974.90 Dolan, Frank
H236 New Jersey Conference on
1976g Handicapped Individuals: Final
Report, 1976

(pp. 2-42, 2-43, 2-62)

CHAPTER 309 LAWS OF N. J. 1977
APPROVED 1-5-78

[OFFICIAL COPY REPRINT]

SENATE, No. 676

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator BEDELL

AN ACT authorizing municipalities to enact ordinances establishing restricted parking zones in certain cases and supplementing chapter 4 of Title 39 of the Revised Statutes.

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

1 1. Any municipality may, by ordinance, establish restricted
2 parking zones in front of residences ***[owned or]*** occupied by
3 handicapped persons, provided a. such persons are holders of
4 current drivers' licenses issued by this State; b. the motor vehicles
5 to be parked in such zones are equipped with such special attach-
6 ments and devices as the Director of the Division of Motor Vehicles
7 may deem necessary to provide for the safe operation thereof by
8 such persons; and c. such parking is not otherwise prohibited and
9 the permitting thereof would not interfere with the normal flow
10 of traffic.

1 2. Any municipality enacting an ordinance pursuant to section 1
2 of this act shall provide for the issuance of permits which identify
3 a specific motor vehicle and the location wherein it is to be parked.
4 Such permits shall only be issued to persons who can prove owner-
5 ship and operation of the motor vehicle and residency at the loca-
6 tion specified thereon. The permit shall be 5½ inches by 8½ inches
7 in size, shall bear an appropriate certification of authenticity and
8 shall be displayed prominently within the vehicle when it is parked
9 so as to be seen from the middle of the street. Only a motor vehicle
10 for which a valid permit has been issued and which has such
11 permit properly displayed shall be permitted to be parked in the
12 restricted parking zone indicated on such permit. A municipality
13 may, by ordinance, establish a fee for such permits.

1 3. This act shall take effect immediately.

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

SENATE, No. 676

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator BEDELL

AN ACT authorizing municipalities to enact ordinances establishing restricted parking zones in certain cases and supplementing chapter 4 of Title 39 of the Revised Statutes.

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

1 1. Any municipality may, by ordinance, establish restricted
2 parking zones in front of residences owned or occupied by handi-
3 capped persons, provided a. such persons are holders of current
4 drivers' licenses issued by this State; b. the motor vehicles to be
5 parked in such zones are equipped with such special attachments
6 and devices as the Director of the Division of Motor Vehicles may
7 deem necessary to provide for the safe operation thereof by such
8 persons; and c. such parking is not otherwise prohibited and the
9 permitting thereof would not interfere with the normal flow of
10 traffic.

1 2. Any municipality enacting an ordinance pursuant to section 1
2 of this act shall provide for the issuance of permits which identify
3 a specific motor vehicle and the location wherein it is to be parked.
4 Such permits shall only be issued to persons who can prove owner-
5 ship and operation of the motor vehicle and residency at the loca-
6 tion specified thereon. The permit shall be 5½ inches by 8½ inches
7 in size, shall bear an appropriate certification of authenticity and
8 shall be displayed prominently within the vehicle when it is parked
9 so as to be seen from the middle of the street. Only a motor vehicle
10 for which a valid permit has been issued and which has such
11 permit properly displayed shall be permitted to be parked in the
12 restricted parking zone indicated on such permit. A municipality
13 may, by ordinance, establish a fee for such permits.

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to allow municipalities, by ordinance, to establish restricted parking zones in front of residences for use by handicapped persons whose mobility is impaired.

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 676

—◆—
STATE OF NEW JERSEY
—◆—

DATED: NOVEMBER 15, 1976

This bill would permit municipalities, by ordinance, to establish restricted parking zones in residential areas for use by handicapped persons who have obtained identifying permits issued pursuant to the ordinances.

Often, existing parking ordinances present a hardship to persons who are handicapped and cannot find permissible parking near their homes and this bill is intended to eliminate that hardship.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 676

STATE OF NEW JERSEY

DATED: JANUARY 31, 1977

Senate Bill No. 676 is permissive legislation which would allow municipalities to establish restricted parking zones in front of residences occupied by handicapped persons. Such restricted parking zones would be allowed only where parking is not otherwise prohibited, and where it would not interfere with the normal flow of traffic.

The bill provides that any municipality enacting such an ordinance shall issue permits to be displayed on such handicapped persons' motor vehicles, and may charge a fee for the issuance of such permits.

The Assembly committee amendment deletes the words "owned or" in line 2 of section 1. The pertinent criterion in whether or not such a restricted parking zone should be established is occupancy by a handicapped person. Ownership of the residence has no relevance to the question.

ASSEMBLY COMMITTEE AMENDMENT TO

SENATE, No. 676

STATE OF NEW JERSEY

ADOPTED JANUARY 31, 1977

Amend page 1, section 1, line 2, omit "owned or".

[ASSEMBLY REPRINT]

SENATE, No. 676

with Assembly committee amendment adopted January 31, 1977

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator BEDELL

AN ACT authorizing municipalities to enact ordinances establishing restricted parking zones in certain cases and supplementing chapter 4 of Title 39 of the Revised Statutes.

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

1 1. Any municipality may, by ordinance, establish restricted
2 parking zones in front of residences ***[owned or]*** occupied by
3 handicapped persons, provided a. such persons are holders of
4 current drivers' licenses issued by this State; b. the motor vehicles
5 to be parked in such zones are equipped with such special attach-
6 ments and devices as the Director of the Division of Motor Vehicles
7 may deem necessary to provide for the safe operation thereof by
8 such persons; and c. such parking is not otherwise prohibited and
9 the permitting thereof would not interfere with the normal flow
10 of traffic.

1 2. Any municipality enacting an ordinance pursuant to section 1
2 of this act shall provide for the issuance of permits which identify
3 a specific motor vehicle and the location wherein it is to be parked.
4 Such permits shall only be issued to persons who can prove owner-
5 ship and operation of the motor vehicle and residency at the loca-
6 tion specified thereon. The permit shall be 5½ inches by 8½ inches
7 in size, shall bear an appropriate certification of authenticity and
8 shall be displayed prominently within the vehicle when it is parked
9 so as to be seen from the middle of the street. Only a motor vehicle
10 for which a valid permit has been issued and which has such
11 permit properly displayed shall be permitted to be parked in the
12 restricted parking zone indicated on such permit. A municipality
13 may, by ordinance, establish a fee for such permits.

1 3. This act shall take effect immediately.

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

974.901
G 61

PROPERTY OF
NEW JERSEY STATE LIBRARY
FROM THE OFFICE OF THE GOVERNOR

5676 - PAGE 2

FOR IMMEDIATE RELEASE

MAR 07 1978

FOR FURTHER INFORMATION

JANUARY 5, 1978

185 W. State Street
Trenton, N. J.

ANNE BURNS

Governor Brendan Byrne today signed into law S-1380, sponsored by Senator Raymond Garramone (D-Bergen). The bill amends the no-fault insurance law and the Unsatisfied Claim and Judgement Fund law by limiting an insurance company's liability on any one medical expense claim to \$75,000.

One of the major no-fault reform issues in New Jersey has been the absence of any limitation on company liability for first-party medical expenses under the Personal Injury Protection (PIP) mandated by law. The original No-Fault Study Commission recommended against a limitation believing that coverage for catastrophic cases was desirable and that the number of these cases was low enough to keep overall claims costs affordable. This has proven true; however, there has been another problem.

Prior to S-1380, in accident cases involving major permanent disabilities, insurance companies were required to pay all medical hospital rehabilitation expenses for the duration of the disabled person's life. In order to protect against all eventualities, insurance companies have been forced to maintain very large loss reserves which in the end may not bear any close relation to the actual expenses paid.

The reserving problem has had an adverse effect on the medium to smaller-sized insurance companies. They do not have the sufficient capital resources to maintain large reserves and so must buy reinsurance to cover their liability.

The cost of reinsurance which is not State regulated for PIP medical payments is very high.

S-1380 caps the liability limit at \$75,000 and shifts liability for any excess costs to the Unsatisfied Claim and Judgement Fund. The Fund will maintain reserves sufficient to pay anticipated amounts needed through assessments against auto insurers.

The Governor also signed the following bills:

S-676, sponsored by Senator Eugene Bedell (D-Monmouth) which permits municipalities to establish by ordinance restricted parking zones in residential areas for use by handicapped persons.

Identifying permits will be issued by the municipality to handicapped persons providing they (1) hold a valid driver's license, (2) have any necessary special attachments on the vehicle and (3) the parking is not otherwise prohibited or would not interfere with the normal flow of traffic.

The bill will, in effect, permit a specific spot to be reserved for a specific vehicle.

A-1268, sponsored by Assemblyman William Hamilton (D-Middlesex), which allows the widow of a policeman or fireman who failed to comply with filing requirements necessary for receiving a pension to file and qualify for a widow's benefit.

The Consolidated Police and Firemen's Pension Fund Act provided that when a member of the Fund died prior to 1965 and left a widow who had married him after he reached the age of 50, the widow was not eligible for pension benefits.

However, the Act allowed the age bar to be removed if the widow filed for the pension benefits within six months after the effective date.

This bill will allow those widows who did not meet the filing deadline to receive pension benefits.

A-3134, sponsored by Assemblyman Willie Brown (D-Essex) which transfers \$1,045,899.31 from the Public Buildings Construction Fund originally appropriated to the Department of Health to the Department of Human Services for life safety projects at State institutions.

In return \$1,045,899.31 previously appropriated to the Division of Mental Retardation in the Department of Human Services is transferred to the Department of Health to upgrade private and public drug abuse treatment facilities to meet Life Safety Code licensing requirements.

The bill is required because of a ruling by the Attorney General that bond funds from the Public Building Construction Fund may not be used for facilities operated and maintained by private owners.