

52:32-14 to 16

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:32-14 to 52:32-16

Laws of 1975 Chapter 224

Bill No. A1622

Sponsor(s) Berman & Others

Date Introduced April 29, 1974

Committee: Assembly Municipal Government

Senate Institutions, Health & Welfare

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

Date of passage: Assembly February 4, 1975

Senate May 5, 1975

Date of approval October 8, 1975

Following statements are attached if available:

Sponsor statement Yes ~~No~~

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~~

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ASSEMBLY, No. 1622

CHAPTER 224 LAWS OF N. J. 1975
APPROVED 10-8-75

STATE OF NEW JERSEY

INTRODUCED APRIL 29, 1974

By Assemblywoman BERMAN, Assemblymen FITZPATRICK,
SALKIND, KOZLOSKI, Assemblywoman CROCE, Assemblymen
PERSKIE, VAN WAGNER, FLYNN and Assemblywoman
TOTARO

Referred to Committee on Municipal Government

AN ACT to provide for the construction and maintenance of side-
walks for use by handicapped persons.

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

1 1. A sidewalk hereafter constructed or reconstructed on public
2 or private property for public use within this State, whether
3 constructed by a public agency or a person, firm, corporation, non-
4 profit corporation or association, shall be constructed in a manner
5 that will facilitate use by physically handicapped persons. At points
6 of intersection between pedestrian and motorized lines of travel,
7 and at other points where necessary to avoid abrupt changes in
8 grade, a sidewalk shall slope gradually to street level so as to pro-
9 vide an uninterrupted line of travel. ****[In order that adequate**
10 *drainage may be maintained, the sidewalk shall not, however, slope*
11 *to a height of less than one and one-quarter inches above street*
12 *level.**]***

1 2. To carry out the purpose of section 1 of this act the Depart-
2 ment of Transportation shall, within 30 days of the enactment of
3 this act, ***after consultation with the Director of the Division of*
4 *Vocational Rehabilitation Services of the Department of Labor*
5 *and Industry and the chairman of the State Commission for the*
6 *Blind and Visually Impaired of the Department of Institutions and*
7 *Agencies,** prescribe standards**, which shall include, but not be*
8 *limited to, standards** of **drainage,** slope gradient, width, 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.**

9 slip-resistant qualities which will assure that a sidewalk will accom-
 10 modate a person in a wheelchair or other handicapped persons.
 11 All agencies and instrumentalities of State and local government,
 12 and every other person, firm, corporation or association shall
 13 comply with these standards and the provisions of this act when
 14 undertaking construction or reconstruction of streets, curbs or
 15 sidewalks.

1 **3.** Nothing contained in section 2 of this act shall be construed
 2 to prevent a municipality from adopting by ordinance standards
 3 at least equal to those prescribed by the Department of Trans-
 4 portation in connection with the construction or reconstruction of
 5 any sidewalks within the corporate limits of such municipality,
 6 and any standards so adopted shall apply to any such construction
 7 or reconstruction within said corporate limits.

1 **4.** Nothing in section 2 **or 3** of this act shall
 2 be construed to supersede the functions of the Department of the
 3 Treasury and the State Board of Education with respect to the
 4 design and construction of access **ramps** *facilities* to
 5 school buildings and other public buildings pursuant to P. L. 1971,
 6 c. 42 (C. 18A:18-2.1 et seq.) and P. L. 1971, c. 269 (C. 52:32-4
 7 et seq.)

1 **5.** This act shall take effect upon the thirtieth day
 2 next following its enactment.

ASSEMBLY, No. 1622

STATE OF NEW JERSEY

INTRODUCED APRIL 29, 1974

By Assemblywoman BERMAN, Assemblymen FITZPATRICK, SALKIND, KOZLOSKI, Assemblywoman CROCE, Assemblymen PERSKIE, VAN WAGNER, FLYNN and Assemblywoman TOTARO

Referred to Committee on Municipal Government

AN ACT to provide for the construction and maintenance of sidewalks for use by handicapped persons.

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

1 1. A sidewalk hereafter constructed or reconstructed on public
2 or private property for public use within this State, whether
3 constructed by a public agency or a person, firm, corporation, non-
4 profit corporation or association, shall be constructed in a manner
5 that will facilitate use by physically handicapped persons. At points
6 of intersection between pedestrian and motorized lines of travel,
7 and at other points where necessary to avoid abrupt changes in
8 grade, a sidewalk shall slope gradually to street level so as to pro-
9 vide an uninterrupted line of travel.

1 2. To carry out the purpose of section 1 of this act the Depart-
2 ment of Transportation shall, within 30 days of the enactment of
3 this act, prescribe standards of slope gradient, width, and slip-
4 resistant qualities which will assure that a sidewalk will accom-
5 modate a person in a wheelchair or other handicapped persons.
6 All agencies and instrumentalities of State and local government,
7 and every other person, firm, corporation or association shall
8 comply with these standards and the provisions of this act when
9 undertaking construction or reconstruction of streets, curbs or
10 sidewalks.

1 3. Nothing contained in section 2 of this act shall be construed
2 to prevent a municipality from adopting by ordinance standards
3 at least equal to those prescribed by the Department of Trans-
4 portation in connection with the construction or reconstruction of
5 any sidewalks within the corporate limits of such municipality,

6 and any standards so adopted shall apply to any such construction
7 or reconstruction within said corporate limits.

1 4. Nothing in section 2 or 3 of this act shall be construed to
2 supersede the functions of the Department of the Treasury and
3 the State Board of Education with respect to the design and con-
4 struction of access ramps to school buildings and other public
5 buildings pursuant to P. L. 1971, c. 42 (C. 18A:18-2.1 et seq.) and
6 P. L. 1971, c. 269 (C. 52:32-4 et seq.)

1 5. This act shall take effect upon the thirtieth day next following
2 its enactment.

STATEMENT

This bill would require that any sidewalks constructed or re-constructed after it takes effect shall provide ramps, properly designed and appropriately located, to allow persons in wheelchairs and others with handicaps to go from one level to another without being blocked by curbs and steps.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1622

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with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 1975

This bill would require ramps to be built at crosswalks and barriers to be removed from sidewalks on all public and private property for public use within the State whenever streets, curbs or sidewalks are under construction or reconstruction. Handicapped persons would thus gain uninterrupted lines of travel.

As amended by the committee, the bill leaves the development of all standards for implementation of the bill's provisions to the Department of Transportation, in consultation with the Director of the Division of Vocational Rehabilitation and the chairman of the State Commission for the Blind and Visually Impaired. In order to avoid delay in the implementation of the bill's provisions, the committee deleted by amendment a section giving municipalities the right to adopt standards stricter than those prescribed by the Department of Transportation.