

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2018 **CHAPTER:** 124

NJSA: 39:4-207.11 (Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.)

BILL NO: A3683 (Substituted for S2416)

SPONSOR(S) Murphy and others

DATE INTRODUCED: 3/13/2018

COMMITTEE: **ASSEMBLY:** Transportation & Independent Authorities

SENATE: Transportation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 9/27/2018

SENATE: 9/27/2018

DATE OF APPROVAL: 10/4/2018

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third Reprint enacted) Yes

A3683

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2416

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RH/CL

P.L. 2018, CHAPTER 124, *approved October 4, 2018*
Assembly, No. 3683 (*Third Reprint*)

1 AN ACT concerning parking and supplementing Title 39 of the
2 Revised Statutes.
3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6
7 1. a. As used in this act:
8 “Health or personal care services” means nursing and other home
9 health care services rendered at a patient’s place of residence.
10 “Home care service agency” means a home health care agency
11 licensed pursuant to P.L.1971, c.136 ¹[(C.26:2H-1 et seq.)]
12 (C.26:2H-1 et al.)¹, a health care service firm
13 registered pursuant to ¹[N.J.A.C.13:45B-14.1] ²[N.J.A.C.14:45B-
14 13.1¹] N.J.A.C.13:45B-13.1² et seq., or a ¹[Medicare-certified
15 hospice program] hospice care program licensed pursuant to section
16 2 of P.L.1997, c.78 (C.26:2H-80)¹.
17 “Home care service employee” means a nurse, nurse aide,
18 homemaker-home health aide, ¹[or]¹ personal care assistant ¹,
19 physical therapist, occupational therapist, speech-language
20 pathologist, or social worker¹ licensed or certified pursuant to ¹Title
21 26 or¹ Title 45 of the Revised Statutes or a hospice care worker
22 employed by a hospice care program¹ licensed pursuant to section
23 2 of P.L.1997, c.78 (C.26:2H-80) who provides at home health or
24 personal care services.
25 b. The Chief Administrator of the New Jersey Motor Vehicle
26 Commission shall issue upon application parking placards to home
27 care service agencies indicating that a motor vehicle is being
28 operated by a home care service employee. The placards shall be
29 distributed by the home care service agencies to their home care
30 service employees who render health or personal care services. A
31 home care service agency applying for the placards shall submit to
32 the commission a copy of the agency’s license or ³[other
33 credentials]³ issued by the Department of Health or ³registered with
34 the³ Division of Consumer Affairs in the Department of Law and
35 Public Safety. The commission shall take action within 30 days of
36 receiving the application.

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:

¹Assembly ATR committee amendments adopted May 10, 2018.

²Senate STR committee amendments adopted June 11, 2018.

³Assembly amendments adopted in accordance with Governor's recommendations August 27, 2018.

1 c. ³~~【The】~~ In order to receive the benefits set forth in this
2 subsection, as applicable, the³ placard shall be displayed on a motor
3 vehicle operated by a home care service employee when ³~~the~~
4 vehicle is parked while the employee is³ rendering health or
5 personal care services ³~~【and】~~ or³ while ³~~the employee is~~³ traveling
6 to render health or personal care services. ³~~【The】~~ When displayed
7 as authorized pursuant to this subsection, the³ placard shall entitle
8 the ¹~~home care service~~¹ employee:

9 (1) to park the motor vehicle in on-street areas that are generally
10 reserved for municipal residents, municipal parking lots, and
11 college and university parking lots;

12 (2) to park overnight in on-street areas that are generally
13 reserved for municipal residents, municipal parking lots, and
14 college and university parking lots when overnight parking is
15 prohibited;

16 (3) to travel on roads which are designated by a municipality as
17 being reserved for municipal residents during certain times when
18 traffic volume is high; and

19 (4) to park overtime at metered parking ³~~【when rendering health~~
20 ~~or personal care services】~~ for up to 24 hours in one location with no
21 penalty imposed³.

22 d. A home care service agency shall be entitled to receive a
23 parking placard for each home care service employee employed by
24 the agency. The parking placards shall be valid for ³~~【one year】~~ two
25 years³ from the date of issuance and may be renewed
26 ³~~【indefinitely】~~ biannually³ provided that the home care service
27 agency continues to provide health or personal care services. The
28 commission may impose on each home care service agency a ³~~【one-~~
29 ~~time registration】~~³ fee of ¹~~not more than~~¹ \$50 ¹~~【or less】~~¹ for each
30 parking placard ³~~【issued. A home care service agency shall not be~~
31 ~~required to pay a fee when renewing the placards.】~~ application and
32 a renewal fee of not more than \$20 for each parking placard
33 renewal. Each placard or renewal shall be valid until the last day of
34 the 24th calendar month following the calendar month in which that
35 placard or renewal was issued.³

36 e. A parking placard shall display a unique identifying number
37 that shall be recorded by the commission and maintained in a
38 central registry. A home care service employee who receives a
39 placard shall submit to the home care service agency a copy of the
40 employee's driver's license. The home care service agency shall
41 use the identifying numbers and employee driver's license numbers
42 ³~~and names~~³ to maintain a record of placards assigned to the
43 agency's home care service employees ³~~【which shall be made~~
44 ~~available】~~ , and shall provide those identifying number and
45 employee driver's license numbers and names³ to the commission
46 ³~~【for inspection upon request】~~³.

1 f. A home care service employee shall return the placard to the
2 home care service agency upon termination of employment as a
3 home care service employee ³at that agency³. A home care service
4 agency shall report to the commission ³, within 30 days, that an
5 employee who has been assigned a placard is no longer employed
6 by the agency and³ if an employee fails to return the placard upon
7 termination of employment. ³A home care service agency shall be
8 subject to a fine of \$100 to be imposed by the commission for any
9 failure to timely report to the commission the failure of a terminated
10 employee to timely return the placard to the agency as required by
11 this subsection.³ A home care service employee who fails to return
12 the placard within 30 days of termination of employment shall be
13 ²[fined \$100] subject to a fine of \$100 to be imposed² by the
14 commission.

15 g. A person who uses a placard to receive parking privileges
16 established pursuant to this section other than when ³the vehicle is
17 parked while a health care services employee is³ rendering health or
18 personal care services at a patient's place of residence ³or to travel
19 on roads which are designated by a municipality as being reserved
20 for municipal residents during certain times when traffic volume is
21 high when the vehicle is not being used by a home care service
22 employee for traveling to render health or personal care services³
23 shall be subject to a ²[\$100]² fine ²of \$250 for the first offense and
24 a fine of \$250 and up to 90 days of community service, on such
25 terms and in such a form as the court shall deem appropriate, for
26 each subsequent offense². ³The placard shall not be transferable
27 from one home care service agency to another, nor between
28 employees of a home care service agency. Each placard is for the
29 exclusive use of the person to whom it has been issued, is
30 nontransferable to, and will be forfeited if presented by, any other
31 person. Abuse of any privilege, benefit, use or consideration
32 granted to any person to whom a placard is issued shall be sufficient
33 cause for revocation of the placard, and shall subject the employee
34 to all other penalties in P.L. , c. (C.) (pending before the
35 Legislature as this bill).³

36 h. The chief administrator shall notify the Attorney General,
37 who shall, in turn, notify the appropriate law enforcement agencies
38 of the placard established pursuant to this section.

39 i. The chief administrator may establish regulations necessary
40 to effectuate the purposes of ²[this act] P.L. , c. (C.)
41 (pending before the Legislature as this bill)².

42 ³j. Any person who submits a false statement or provides false
43 information on an application to obtain or facilitate the receipt of a
44 placard, or the misuse of a placard pursuant to P.L. , c. (C.)
45 (pending before the Legislature as this bill) shall be subject to a fine
46 of not more than \$1,000, which may be assessed by the
47 commission. Nothing in this subsection shall be construed in any
48 way to preclude or limit the prosecution or conviction of any person

1 for falsifying or tampering with records under N.J.S.2C:21-4 or for
2 any other crime or offense.³

3

4 2. This act shall take effect on the first day of the ²**[eighth]**
5 19th² month after enactment, except the chief administrator may
6 take anticipatory administrative action in advance thereof as shall
7 be necessary for the implementation of this act.

8

9

10

11

12 _____
13 Authorizes parking privileges for certain healthcare workers who
render care at patients' home residences.

ASSEMBLY, No. 3683

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED MARCH 13, 2018

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman PATRICIA EGAN JONES

District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblymen Barclay, Mazzeo, Armato, Assemblywoman Downey,

Assemblymen Peters, Benson, Assemblywoman Pinkin, Assemblymen

A.M.Bucco, Thomson and Holley

SYNOPSIS

Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/8/2018)

1 AN ACT concerning parking and supplementing Title 39 of the
2 Revised Statutes.

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

6
7 1. a. As used in this act:

8 “Health or personal care services” means nursing and other home
9 health care services rendered at a patient’s place of residence.

10 “Home care service agency” means a home health care agency
11 licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), a health
12 care service firm registered pursuant to N.J.A.C.13:45B-14.1 et
13 seq., or a Medicare-certified hospice program.

14 “Home care service employee” means a nurse, nurse aide,
15 homemaker-home health aide, or personal care assistant licensed or
16 certified pursuant to Title 45 of the Revised Statutes or a hospice
17 care worker licensed pursuant to section 2 of P.L.1997, c.78
18 (C.26:2H-80) who provides at home health or personal care
19 services.

20 b. The Chief Administrator of the New Jersey Motor Vehicle
21 Commission shall issue upon application parking placards to home
22 care service agencies indicating that a motor vehicle is being
23 operated by a home care service employee. The placards shall be
24 distributed by the home care service agencies to their home care
25 service employees who render health or personal care services. A
26 home care service agency applying for the placards shall submit to
27 the commission a copy of the agency’s license or other credentials
28 issued by the Department of Health or Division of Consumer
29 Affairs in the Department of Law and Public Safety. The
30 commission shall take action within 30 days of receiving the
31 application.

32 c. The placard shall be displayed on a motor vehicle operated
33 by a home care service employee when rendering health or personal
34 care services and while traveling to render health or personal care
35 services. The placard shall entitle the employee:

36 (1) to park the motor vehicle in on-street areas that are generally
37 reserved for municipal residents, municipal parking lots, and
38 college and university parking lots;

39 (2) to park overnight in on-street areas that are generally
40 reserved for municipal residents, municipal parking lots, and
41 college and university parking lots when overnight parking is
42 prohibited;

43 (3) to travel on roads which are designated by a municipality as
44 being reserved for municipal residents during certain times when
45 traffic volume is high; and

46 (4) to park overtime at metered parking when rendering health or
47 personal care services.

1 d. A home care service agency shall be entitled to receive a
2 parking placard for each home care service employee employed by
3 the agency. The parking placards shall be valid for one year from
4 the date of issuance and may be renewed indefinitely provided that
5 the home care service agency continues to provide health or
6 personal care services. The commission may impose on each home
7 care service agency a one-time registration fee of \$50 or less for
8 each parking placard issued. A home care service agency shall not
9 be required to pay a fee when renewing the placards.

10 e. A parking placard shall display a unique identifying number
11 that shall be recorded by the commission and maintained in a
12 central registry. A home care service employee who receives a
13 placard shall submit to the home care service agency a copy of the
14 employee's driver's license. The home care service agency shall
15 use the identifying numbers and employee driver's license numbers
16 to maintain a record of placards assigned to the agency's home care
17 service employees which shall be made available to the commission
18 for inspection upon request.

19 f. A home care service employee shall return the placard to the
20 home care service agency upon termination of employment as a
21 home care service employee. A home care service agency shall
22 report to the commission if an employee fails to return the placard
23 upon termination of employment. A home care service employee
24 who fails to return the placard within 30 days of termination of
25 employment shall be fined \$100 by the commission.

26 g. A person who uses a placard to receive parking privileges
27 established pursuant to this section other than when rendering
28 health or personal care services at a patient's place of residence
29 shall be subject to a \$100 fine.

30 h. The chief administrator shall notify the Attorney General,
31 who shall, in turn, notify the appropriate law enforcement agencies
32 of the placard established pursuant to this section.

33 i. The chief administrator may establish regulations necessary
34 to effectuate the purposes of this act.
35

36 2. This act shall take effect on the first day of the eighth month
37 after enactment, except the chief administrator may take
38 anticipatory administrative action in advance thereof as shall be
39 necessary for the implementation of this act.
40
41

42 STATEMENT

43
44 This bill requires the Motor Vehicle Commission (MVC) to issue
45 a placard to authorize parking privileges for home care service
46 employees who render care at a patient's home. The placards
47 would entitle the home care service employees to park their motor
48 vehicles in on-street areas that are generally reserved for municipal

1 residents and in municipal parking lots and college and university
2 parking lots. The home care service employees also would be
3 entitled to park in these areas overnight. In addition, the permit
4 would entitle the home care service employees to travel on roads
5 which are designated by a municipality as being reserved for
6 municipal residents during certain times when traffic volume is high
7 and to park overtime at metered parking when rendering health or
8 personal care services. The bill specifically applies to the following
9 employees licensed or certified under Title 45 of the Revised
10 Statutes: nurses, nurse aides, homemaker-home health aides, or
11 personal care assistants, and hospice care workers licensed under
12 Title 26 of the Revised Statutes.

13 Under the bill, the MVC would issue the placards to home care
14 service agencies which would then distribute the placards to their
15 employees who qualify as home care service employees. A home
16 care service agency applying for the placards would be required to
17 submit a copy of agency's license or other credentials issued by the
18 Department of Health or Division of Consumer Affairs in the
19 Department of Law and Public Safety. The bill requires the MVC
20 to take action within 30 days of receiving a home care service
21 agency's application.

22 The placard would be valid for one year, but would be renewable
23 for as long as the home care service agency continues to render
24 health or personal care services to patients in their private
25 residences. The bill allows the MVC to establish a one-time
26 registration fee of \$50 or less for each parking placard issued. A
27 home care service agency would not be required to pay a fee when
28 renewing the placards.

29 The bill requires the placards to display a unique identifying
30 number which would be recorded by MVC and maintained in a
31 central registry. A home care service employee who receives a
32 placard would be required to submit to the home care service
33 agency a copy of the employee's driver's license. The home care
34 service agency would be required to use the identifying numbers on
35 the placards and employee driver's license numbers to maintain a
36 record of placards assigned to the agency's employees.

37 The bill also requires home care service employees to return the
38 placard to the home care service agency upon termination of
39 employment. A home care service employee who fails to return the
40 placard within 30 days of termination of employment would be
41 fined \$100 by the MVC. The bill establishes an additional \$100
42 fine to be imposed on a home care service employee who
43 improperly uses the placard.

ASSEMBLY TRANSPORTATION AND INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO **ASSEMBLY, No. 3683**

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 10, 2018

The Assembly Transportation and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 3683.

As amended and reported, this bill requires the New Jersey Motor Vehicle Commission (MVC) to issue a placard to authorize parking privileges for home care service employees who render care at a patient's home. The bill specifically applies to the following employees licensed or certified under Title 26 or Title 45 of the Revised Statutes: nurses, nurse aides, homemaker-home health aides, personal care assistants, physical therapists, occupational therapists, speech-language pathologists, and social workers, and hospice care workers.

Under the bill, the placards entitle the home care service employees to park their motor vehicles in on-street areas that are generally reserved for municipal residents, in municipal parking lots, and in college and university parking lots. The home care service employees are also entitled to park in these areas overnight when overnight parking is prohibited. In addition, the permit entitles the home care service employees to travel on roads which are designated by a municipality as being reserved for municipal residents during certain times when traffic volume is high and to park overtime at metered parking when rendering health or personal care services.

Under the bill, the MVC is to issue the placards to home care service agencies which are to then distribute the placards to their employees who qualify as home care service employees. A home care service agency applying for the placards is to submit a copy of agency's license or other credentials issued by the Department of Health or Division of Consumer Affairs in the Department of Law and Public Safety. The bill requires the MVC to take action within 30 days of receiving a home care service agency's application.

The placard is to be valid for one year, but may be renewed for as long as the home care service agency continues to render health or personal care services to patients in their private residences. The bill allows the MVC to establish a one-time registration fee of not more

than \$50 for each parking placard issued. A home care service agency is not required to pay a fee when renewing the placards.

The bill requires the placards to display a unique identifying number which is to be recorded by the MVC and maintained in a central registry. A home care service employee who receives a placard is required to submit to the home care service agency a copy of the employee's driver's license. The home care service agency is required to use the identifying numbers on the placards and employee driver's license numbers to maintain a record of placards assigned to the agency's employees.

The bill requires home care service employees to return the placard to the home care service agency upon termination of employment. A home care service employee who fails to return the placard within 30 days of termination of employment is to be fined \$100 by the MVC. The bill establishes an additional \$100 fine to be imposed on a home care service employee who improperly uses the placard.

COMMITTEE AMENDMENTS

The committee amended the bill to include physical therapists, occupational therapists, speech-language pathologists, and social workers as home care service employees covered under the bill. The amendments also provide corrections to statutory and regulatory references in the bill.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3683

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Transportation Committee reports favorably and with committee amendments Assembly Bill No. 3683 (1R).

As amended and reported, this bill requires the New Jersey Motor Vehicle Commission (MVC) to issue a placard to authorize parking privileges for home care service employees who render care at a patient's home. The bill specifically applies to the following employees licensed or certified under Title 26 or Title 45 of the Revised Statutes: nurses, nurse aides, homemaker-home health aides, personal care assistants, physical therapists, occupational therapists, speech-language pathologists, social workers, and hospice care workers.

Under the bill, the placards entitle the home care service employees to park their motor vehicles in on-street areas that are generally reserved for municipal residents, in municipal parking lots, and in college and university parking lots. The home care service employees are also entitled to park in these areas overnight when overnight parking is prohibited. In addition, the permit entitles the home care service employees to travel on roads which are designated by a municipality as being reserved for municipal residents during certain times when traffic volume is high and to park overtime at metered parking when rendering health or personal care services.

Under the bill, the MVC is to issue the placards to home care service agencies which are to then distribute the placards to their employees who qualify as home care service employees. A home care service agency applying for the placards is to submit a copy of the agency's license or other credentials issued by the Department of Health or Division of Consumer Affairs in the Department of Law and Public Safety. The bill requires the MVC to take action within 30 days of receiving a home care service agency's application.

The placard is to be valid for one year, but may be renewed for as long as the home care service agency continues to render health or personal care services to patients in their private residences. The bill allows the MVC to establish a one-time registration fee of not more

than \$50 for each parking placard issued. A home care service agency is not required to pay a fee when renewing the placards.

The bill requires the placards to display a unique identifying number which is to be recorded by the MVC and maintained in a central registry. A home care service employee who receives a placard is required to submit to the home care service agency a copy of the employee's driver's license. The home care service agency is required to use the identifying numbers on the placards and employee driver's license numbers to maintain a record of placards assigned to the agency's employees.

The bill requires home care service employees to return the placard to the home care service agency upon termination of employment. A home care service employee who fails to return the placard within 30 days of termination of employment is to be fined \$100 by the MVC. The bill establishes an additional penalty for a home care service employee who improperly uses the placard of \$250 for the first offense and \$250 and up to 90 days community for each subsequent offense.

The committee amended the bill to increase the penalty for the misuse of the parking placards from a fine of \$100 to a fine of \$250 for the first offense and a fine of \$250 and up to 90 days of community service for each subsequent offense. The amendments also provide that the bill is to take effect on the first day of the 19th month following enactment instead of the first day of the eighth month following enactment. Lastly, the amendments provide corrections to statutory and regulatory references in the bill.

As amended and reported by the committee, Assembly Bill No. 3683 (1R) is identical to Senate Bill No. 2416 which was also amended and reported by the committee on this date.

SENATE, No. 2416

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED APRIL 5, 2018

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senators Pennacchio, Gopal and Singleton

SYNOPSIS

Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/8/2018)

1 AN ACT concerning parking and supplementing Title 39 of the
2 Revised Statutes.

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

6
7 1. a. As used in this act:

8 “Health or personal care services” means nursing and other home
9 health care services rendered at a patient’s place of residence.

10 “Home care service agency” means a home health care agency
11 licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), a health
12 care service firm registered pursuant to N.J.A.C.13:45B-14.1 et
13 seq., or a Medicare-certified hospice program.

14 “Home care service employee” means a nurse, nurse aide,
15 homemaker-home health aide, or personal care assistant licensed or
16 certified pursuant to Title 45 of the Revised Statutes or a hospice
17 care worker licensed pursuant to section 2 of P.L.1997, c.78
18 (C.26:2H-80) who provides at home health or personal care
19 services.

20 b. The Chief Administrator of the New Jersey Motor Vehicle
21 Commission shall issue upon application parking placards to home
22 care service agencies indicating that a motor vehicle is being
23 operated by a home care service employee. The placards shall be
24 distributed by the home care service agencies to their home care
25 service employees who render health or personal care services. A
26 home care service agency applying for the placards shall submit to
27 the commission a copy of the agency’s license or other credentials
28 issued by the Department of Health or Division of Consumer
29 Affairs in the Department of Law and Public Safety. The
30 commission shall take action within 30 days of receiving the
31 application.

32 c. The placard shall be displayed on a motor vehicle operated
33 by a home care service employee when rendering health or personal
34 care services and while traveling to render health or personal care
35 services. The placard shall entitle the employee:

36 (1) to park the motor vehicle in on-street areas that are generally
37 reserved for municipal residents, municipal parking lots, and
38 college and university parking lots;

39 (2) to park overnight in on-street areas that are generally
40 reserved for municipal residents, municipal parking lots, and
41 college and university parking lots when overnight parking is
42 prohibited;

43 (3) to travel on roads which are designated by a municipality as
44 being reserved for municipal residents during certain times when
45 traffic volume is high; and

46 (4) to park overtime at metered parking when rendering health or
47 personal care services.

1 d. A home care service agency shall be entitled to receive a
2 parking placard for each home care service employee employed by
3 the agency. The parking placards shall be valid for one year from
4 the date of issuance and may be renewed indefinitely provided that
5 the home care service agency continues to provide health or
6 personal care services. The commission may impose on each home
7 care service agency a one-time registration fee of \$50 or less for
8 each parking placard issued. A home care service agency shall not
9 be required to pay a fee when renewing the placards.

10 e. A parking placard shall display a unique identifying number
11 that shall be recorded by the commission and maintained in a
12 central registry. A home care service employee who receives a
13 placard shall submit to the home care service agency a copy of the
14 employee's driver's license. The home care service agency shall
15 use the identifying numbers and employee driver's license numbers
16 to maintain a record of placards assigned to the agency's home care
17 service employees which shall be made available to the commission
18 for inspection upon request.

19 f. A home care service employee shall return the placard to the
20 home care service agency upon termination of employment as a
21 home care service employee. A home care service agency shall
22 report to the commission if an employee fails to return the placard
23 upon termination of employment. A home care service employee
24 who fails to return the placard within 30 days of termination of
25 employment shall be fined \$100 by the commission.

26 g. A person who uses a placard to receive parking privileges
27 established pursuant to this section other than when rendering
28 health or personal care services at a patient's place of residence
29 shall be subject to a \$100 fine.

30 h. The chief administrator shall notify the Attorney General,
31 who shall, in turn, notify the appropriate law enforcement agencies
32 of the placard established pursuant to this section.

33 i. The chief administrator may establish regulations necessary
34 to effectuate the purposes of this act.
35

36 2. This act shall take effect on the first day of the eighth month
37 after enactment, except the chief administrator may take
38 anticipatory administrative action in advance thereof as shall be
39 necessary for the implementation of this act.
40

41 STATEMENT

42
43
44 This bill requires the Motor Vehicle Commission (MVC) to issue
45 a placard to authorize parking privileges for home care service
46 employees who render care at a patient's home. The placards
47 would entitle the home care service employees to park their motor
48 vehicles in on-street areas that are generally reserved for municipal

1 residents and in municipal parking lots and college and university
2 parking lots. The home care service employees also would be
3 entitled to park in these areas overnight. In addition, the permit
4 would entitle the home care service employees to travel on roads
5 which are designated by a municipality as being reserved for
6 municipal residents during certain times when traffic volume is high
7 and to park overtime at metered parking when rendering health or
8 personal care services. The bill specifically applies to the following
9 employees licensed or certified under Title 45 of the Revised
10 Statutes: nurses, nurse aides, homemaker-home health aides, or
11 personal care assistants, and hospice care workers licensed under
12 Title 26 of the Revised Statutes.

13 Under the bill, the MVC would issue the placards to home care
14 service agencies which would then distribute the placards to their
15 employees who qualify as home care service employees. A home
16 care service agency applying for the placards would be required to
17 submit a copy of agency's license or other credentials issued by the
18 Department of Health or Division of Consumer Affairs in the
19 Department of Law and Public Safety. The bill requires the MVC
20 to take action within 30 days of receiving a home care service
21 agency's application.

22 The placard would be valid for one year, but would be renewable
23 for as long as the home care service agency continues to render
24 health or personal care services to patients in their private
25 residences. The bill allows the MVC to establish a one-time
26 registration fee of \$50 or less for each parking placard issued. A
27 home care service agency would not be required to pay a fee when
28 renewing the placards.

29 The bill requires the placards to display a unique identifying
30 number which would be recorded by MVC and maintained in a
31 central registry. A home care service employee who receives a
32 placard would be required to submit to the home care service
33 agency a copy of the employee's driver's license. The home care
34 service agency would be required to use the identifying numbers on
35 the placards and employee driver's license numbers to maintain a
36 record of placards assigned to the agency's employees.

37 The bill also requires home care service employees to return the
38 placard to the home care service agency upon termination of
39 employment. A home care service employee who fails to return the
40 placard within 30 days of termination of employment would be
41 fined \$100 by the MVC. The bill establishes an additional \$100
42 fine to be imposed on a home care service employee who
43 improperly uses the placard.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2416

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 2416.

As amended and reported, this bill requires the New Jersey Motor Vehicle Commission (MVC) to issue a placard to authorize parking privileges for home care service employees who render care at a patient's home. The bill specifically applies to the following employees licensed or certified under Title 26 or Title 45 of the Revised Statutes: nurses, nurse aides, homemaker-home health aides, personal care assistants, physical therapists, occupational therapists, speech-language pathologists, social workers, and hospice care workers.

Under the bill, the placards entitle the home care service employees to park their motor vehicles in on-street areas that are generally reserved for municipal residents, in municipal parking lots, and in college and university parking lots. The home care service employees are also entitled to park in these areas overnight when overnight parking is prohibited. In addition, the permit entitles the home care service employees to travel on roads which are designated by a municipality as being reserved for municipal residents during certain times when traffic volume is high and to park overtime at metered parking when rendering health or personal care services.

Under the bill, the MVC is to issue the placards to home care service agencies which are to then distribute the placards to their employees who qualify as home care service employees. A home care service agency applying for the placards is to submit a copy of the agency's license or other credentials issued by the Department of Health or Division of Consumer Affairs in the Department of Law and Public Safety. The bill requires the MVC to take action within 30 days of receiving a home care service agency's application.

The placard is to be valid for one year, but may be renewed for as long as the home care service agency continues to render health or personal care services to patients in their private residences. The bill allows the MVC to establish a one-time registration fee of not more than \$50 for each parking placard issued. A home care service agency is not required to pay a fee when renewing the placards.

The bill requires the placards to display a unique identifying number which is to be recorded by the MVC and maintained in a central registry. A home care service employee who receives a placard is required to submit to the home care service agency a copy of the employee's driver's license. The home care service agency is required to use the identifying numbers on the placards and employee driver's license numbers to maintain a record of placards assigned to the agency's employees.

The bill requires home care service employees to return the placard to the home care service agency upon termination of employment. A home care service employee who fails to return the placard within 30 days of termination of employment is to be fined \$100 by the MVC. The bill establishes an additional penalty for a home care service employee who improperly uses the placard of \$250 for the first offense and \$250 and up to 90 days community for each subsequent offense.

The committee amended the bill to include physical therapists, occupational therapists, speech-language pathologists, and social workers as home care service employees covered under the bill. The amendments increase the penalty for the misuse of the parking placards from a fine of \$100 to a fine of \$250 for the first offense and a fine of \$250 and up to 90 days of community service for each subsequent offense. The amendments also provide that the bill is to take effect on the first day of the 19th month following enactment instead of the first day of the eighth month following enactment. Lastly, the amendments also provide corrections to statutory and regulatory references in the bill.

As amended and reported by the committee, Senate Bill No. 2416 is identical to Assembly Bill No. 3683 (1R) which was also amended and reported by the committee on this date.

ASSEMBLY BILL NO. 3683
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3683 (Second Reprint) with my recommendations for reconsideration.

We are fortunate to have dedicated health and personal care professionals, who travel to patients' homes to perform support services that are often critical to the health, well-being and quality of life of some of our State's most vulnerable citizens, often under difficult conditions and in physically and emotionally demanding circumstances. These services are especially valuable to our aging population, who may be subject to limitations on their mobility such that they are unable to easily commute to and from a hospital or doctor's office, or require medical and personal assistance simply to get through a day at home. To provide treatment and care, home care service agencies deploy hard-working, trained professionals who do not utilize emergency service vehicles. Rather, these home care service employees drive unmarked, non-emergency vehicles that are subject to normal parking restrictions, even in areas where parking is very limited.

In densely populated areas of the State, patients in need often suffer from delayed service and limited treatment because health care service employees are unable to park their vehicles anywhere near the patient's home, or must truncate the provision of services to feed the meter or move their vehicles. This bill seeks to alleviate some of these concerns and I commend the sponsors for creatively addressing the issue.

While it is important to ensure that home care service employees are able to more readily provide services to those in need by removing practical obstacles such as travel and parking restrictions that would otherwise interfere with or unduly burden the delivery of these much-needed services, we can accomplish that result without creating undue

administrative burdens and while limiting opportunities for abuse of this salutary program. Accordingly, I am recommending sensible changes to the bill that will address some of the concerns articulated by the State's Motor Vehicle Commission ("MVC"). The bill tasks the MVC with the responsibility for creating and administering the new placard program, but does not provide sufficient resources for that purpose. As such, I am recommending that a renewal fee be implemented to offset the costs associated with launching a new program within the MVC. Additionally, the bill should include safeguards to minimize misuse of the placards and prevent fraud that would compromise the entire program and its successful implementation. To enable more effective enforcement and reduce the potential for abuse, I am suggesting certain changes that will require better information-sharing and reporting by home care service agencies, tighten up the procedural protections, and strengthen compliance.

Accordingly, I herewith return Assembly Bill No. 3683 (Second Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 1, Line 32:</u>	Delete "or other credentials"
<u>Page 2, Section 1, Line 33:</u>	After "or" insert "registered with the"
<u>Page 2, Section 1, Line 37:</u>	Delete "The" and insert "In order to receive the benefits set forth in this subsection, as applicable, the"
<u>Page 2, Section 1, Line 38:</u>	After "when" insert "the vehicle is parked while the employee is"
<u>Page 2, Section 1, Line 39:</u>	Delete "and" and insert "or"
<u>Page 2, Section 1, Line 39:</u>	After "while" insert "the employee is"
<u>Page 2, Section 1, Line 40:</u>	After "services." delete "The" and insert "When displayed as authorized pursuant to this subsection, the"
<u>Page 3, Section 1, Line 11:</u>	Delete "when rendering health" and insert "for up to 24 hours in one location with no penalty imposed."
<u>Page 3, Section 1, Line 12:</u>	Delete "or personal care services."

<u>Page 3, Section 1, Line 15:</u>	Delete "one year" and insert "two years"
<u>Page 3, Section 1, Line 16:</u>	Delete "indefinitely" and insert "biannually"
<u>Page 3, Section 1, Line 19:</u>	Delete "one-time registration"
<u>Page 3, Section 1, Line 20:</u>	Delete "issued. A home care" and insert "application and a renewal fee of not more than \$20 for each parking placard renewal. Each placard or renewal shall be valid until the last day of the 24th calendar month following the calendar month in which that placard or renewal was issued."
<u>Page 3, Section 1, Lines 21-22:</u>	Delete in its entirety
<u>Page 3, Section 1, Line 28:</u>	After "license numbers" insert "and names"
<u>Page 3, Section 1, Line 30:</u>	Delete "which shall be made available" and insert ", and shall provide those identifying numbers and employee driver's license numbers and names"
<u>Page 3, Section 1, Line 30:</u>	After "commission" insert "."
<u>Page 3, Section 1, Line 31:</u>	Delete in its entirety
<u>Page 3, Section 1, Line 34:</u>	After "employee" insert "at that agency"
<u>Page 3, Section 1, Line 35:</u>	After "commission" insert ", within 30 days, that an employee who has been assigned a placard is no longer employed by the agency and"
<u>Page 3, Section 1, Line 36:</u>	After "employment." insert "A home care service agency shall be subject to a fine of \$100 to be imposed by the commission for any failure to timely report to the commission the failure of a terminated employee to timely return the placard to the agency as required by this subsection."
<u>Page 3, Section 1, Line 41:</u>	After "when" insert "the vehicle is parked while a health care services employee is"
<u>Page 3, Section 1, Line 42:</u>	After "residence" insert "or to travel on roads which are designated by a municipality as being reserved for municipal residents during certain times when traffic volume is high when the vehicle is not being used by a home care service employee for traveling to render health or personal care services"

Page 3, Section 1, Line 46:

After "offense." insert "The placard shall not be transferable from one home care service agency to another, nor between employees of a home care service agency. Each placard is for the exclusive use of the person to whom it has been issued, is nontransferable to, and will be forfeited if presented by, any other person. Abuse of any privilege, benefit, use or consideration granted to any person to whom a placard is issued shall be sufficient cause for revocation of the placard, and shall subject the employee to all other penalties in P.L. , c. (C.) (pending before the Legislature as this bill)."

Page 4, Section 1, Line 6:

After "bill)." insert "j. Any person who submits a false statement or provides false information on an application to obtain or facilitate the receipt of a placard, or the misuse of a placard pursuant to P.L. , c. (C.) (pending before the Legislature as this bill) shall be subject to a fine of not more than \$1,000, which may be assessed by the commission. Nothing in this subsection shall be construed in any way to preclude or limit the prosecution or conviction of any person for falsifying or tampering with records under N.J.S.2C:21-4 or for any other crime or offense."

Respectfully,

/s/ Philip D. Murphy

Governor

[Seal]

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor



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Newark, N.J.

Governor Murphy Takes Action on Legislation

08/27/2018

TRENTON – Today, Governor Phil Murphy announced that he has conditionally vetoed the following bills:

A-764/S-365 (Caputo, Tucker, Quijano, Vainieri Huttie, Sumter, McKnight, Conaway, Houghtaling/Rice, Ruiz, Bucco) – "Alyssa's Law"; requires public school buildings to be equipped with panic alarm linked to local law enforcement.

[Copy of Statement on A764](#)

A-1053/S-1429 (Houghtaling, Taliaferro, Andrzejczak/Van Drew) – Revises and expands laws on trespass and vandalism on agricultural and horticultural lands.

[Copy of Statement on A1053](#)

A-2762/S-1317 (Greenwald, Mukherji, Conaway/Ruiz, Singleton) – Revises law concerning temporary disability leave.

[Copy of Statement on A2762](#)

A-2763/S-342 (Greenwald, Downey/Cruz-Perez) – Requires additional data in annual temporary disability and family leave insurance reports.

[Copy of Statement on A2763](#)

A-3676/S-2307 (Mazzeo, Armato, Giblin/Sweeney, Van Drew, C.A. Brown) – Creates Garden State Growth Zone at Atlantic City International Airport and surrounding area; adjusts full-time employee designation requirements.

[Copy of Statement on A3676](#)

A-3683/S-2416 (Murphy, McKnight, Jones/Madden, Vitale) – Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.

[Copy of Statement on A3683](#)

A-3703/S-2549 (DeAngelo/Cryan, Sweeney) – Revises ownership standards and exemptions under HVACR license law.

[Copy of Statement on A3703](#)

A-3754/S-2510 (McKnight, Speight, Barclay/Madden, Pennacchio) – Exempts persons providing hair braiding services from licensure requirement, requires registration of hair braiding establishments.

[Copy of Statement on A3754](#)

A-3808/S-2418 (Greenwald, Bramnick, Murphy/Singleton, Oroho) – Provides for prompt payment of public contracts for purchase of goods and services.

[Copy of Statement on A3808](#)

A-4118/S-1838 (Swain, Tully, Murphy/Ruiz, Diegnan) – Permits individuals to submit TDI and family temporary disability leave claims to DOLWD prior to commencement of leave under certain circumstances and requires timely payment of benefits for such claims.

[Copy of Statement on A4118](#)

ACS for A-4181/S-2722 (Jones, Murphy/Cruz-Perez) – Requires establishment of common enrollment system in renaissance school district; expands definition of urban campus area; clarifies that employees of renaissance school projects are in State-administered retirement systems.

[Copy of Statement on A4181](#)

A-4230/S-2752 (Burzichelli, Mukherji, Houghtaling, Downey/Gopal, Sarlo) – Changes use of certain revenue derived from sports wagering at racetracks.

[Copy of Statement on A4230](#)

A-4261/S-2794 (Burzichelli, Moriarty, Conaway/Sweeney, Singleton) – Provides for collection of sales tax from certain remote sellers.

[Copy of Statement on A4261](#)

A-4262/S-2795 (Pintor Marin/Sweeney) – Decouples certain provisions of corporation business tax from Internal Revenue Code; alters dividends received deduction; revises tax base of surtax on corporation business income; repeals tax on certain dividends.

[Copy of Statement on A4262](#)

S-250/A-3190 (Van Drew, Gopal/Land, Andrzejczak, Armato) – Provides tax credit eligibility for qualified businesses at certain airports under Grow New Jersey Assistance Program.

[Copy of Statement on S250](#)

S-844/A-1980 (Turner, Cruz-Perez/Sumter, Mukherji, Pintor Marin, Wimberly) – Establishes a partial return to work TDI program.

[Copy of Statement on S844](#)

S-866/A-3294 (Sweeney, Vitale/Vainieri Huttie, Mukherji) – Extends eligibility for certain individuals for emergency assistance.

[Copy of Statement on S866](#)

S-2293/A-3902 (Sweeney, Oroho, Gordon, A.R. Bucco/Benson, Burzichelli, Lampitt) – "Securing Our Children's Future Bond Act"; authorizes issuance of \$1,000,000,000 in general obligation bonds to finance certain school, school district, and county college capital projects; appropriates \$5,000.

[Copy of Statement on S2293](#)

S-2758/A-4212 (Vitale, Ruiz/Coughlin) – Increases financial resources provided through Medicaid program for certain hospitals; Establishes County Option Hospital Fee Pilot Program.

[Copy of Statement on S2758](#)

Governor Murphy announced that he has absolute vetoed the following bills:

A-3267/S-2600 (Vainieri Huttie, Pinkin, McKeon/Ruiz, Smith, Weinberg) – Establishes fee on single-use carryout bags used in certain stores and dedicates fee revenue to "Healthy Schools and Community Lead Abatement Fund."

[Copy of Statement on A3267](#)

S-878/A-3084 (Madden, Sweeney, Singleton/Greenwald, Moriarty, Jones) – Restricts authority to terminate reciprocal personal income tax agreements with other states.

[Copy of Statement on S878](#)

S-2662/A-4113 (Sweeney, Bateman/Burzichelli) – Limits liability for persons who deliver heating oil to unregulated tanks for discharges from that tank under certain circumstances.

[Copy of Statement on S2662](#)

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Newark, N.J.

Governor Murphy Takes Action on Legislation

10/4/2018

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

A1053 w/GR (Houghtaling, Taliaferro, Andrzejczak/Van Drew) – Revises and expands laws on trespass and vandalism on agricultural and horticultural lands.

A2762 w/GR (Greenwald, Mukherji, Conaway/Ruiz, Singleton) – Revises law concerning temporary disability leave.

[Copy of Statement on A2762 w/GR](#)

A2763 w/GR (Greenwald, Downey, Pintor Marin/Cruz-Perez) – Requires additional data in annual temporary disability and family leave insurance reports.

[Copy of Statement on A2763 w/GR](#)

A3683 w/GR (Murphy, McKnight, Jones/Madden, Vitale) – Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.

A3703 w/GR (DeAngelo/Cryan, Sweeney) – Revises ownership standards and exemptions under HVACR license law.

A3754 w/GR (McKnight, Speight, Barclay/Madden) – Exempts persons providing hair braiding services from licensure requirement, requires registration of hair braiding establishments.

A3808 w/GR (Greenwald, Bramnick, Murphy/Singleton, Oroho) – Provides for prompt payment of public contracts for purchase of goods and services.

A4118 w/GR (Swain, Tully, Murphy/Ruiz, Diegnan) – Permits individuals to submit TDI and family temporary disability leave claims to DOLWD prior to commencement of leave under certain circumstances and requires timely payment of benefits for such claims.

[Copy of Statement on A4118 w/GR](#)

A4181 w/GR (Jones, Murphy/Cruz-Perez) – Clarifies that employees of renaissance school projects are in State administered retirement systems.

[Copy of Statement on A4181 w/GR](#)

A4230 w/GR (Burzichelli, Mukherji, Houghtaling, Downey/Gopal, Sarlo) – Changes use of certain revenue derived from sports wagering at racetracks.

A4495 (Pintor Marin/Sarlo, Singleton) – Amends provisions regarding tax base and operative dates relative to CBT and combined reporting; provides CBT deduction in amount of certain foreign-related income; clarifies tax treatment of certain tax credits awarded by EDA.
[Copy of Statement on A4495](#)

A4496 (Burzichelli, Moriarty/Singleton) – Provides for collection of sales tax by marketplace facilitators and certain remote sellers, and clarifies collection of taxes related to hotel and transient accommodation occupancies.

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