

39:4-197

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2003 **CHAPTER:** 161
NJSA: 39:4-197 (Increases fines for parking)
BILL NO: S2076 (Substituted for A3038)

SPONSOR(S): Buono and others

DATE INTRODUCED: November 14, 2002

COMMITTEE: **ASSEMBLY:** ----
SENATE: Law and Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** May 22, 2003
SENATE: February 27, 2003

DATE OF APPROVAL: August 22, 2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

S2076

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3038

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

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: Yes

"Teenager's bill has become law," 8-23-2003 Home News Tribune, p.A1

"Handicapped-parking fines raised," 8-23-2003 Courier News, p.B1

P.L. 2003, CHAPTER 161, *approved August 22, 2003*
Senate, No. 2076

1 **AN ACT** increasing the fine for parking in a restricted parking space
2 and amending R.S.39:4-197.

3

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

6

7 1. R.S.39:4-197 is amended to read as follows:

8 39:4-197. Except as otherwise provided in R.S.39:4-8, no
9 municipality shall pass an ordinance or resolution on a matter covered
10 by or which alters or in any way nullifies the provisions of this chapter
11 or any supplement to this chapter; except that a municipality may pass
12 ordinances or resolutions, or by ordinances or resolutions may
13 authorize the adoption of regulations by the board, body or official
14 having control of traffic in the public streets, regulating special
15 conditions existent in the municipality on the subjects and within the
16 limitations following:

17 (1) Ordinance.

18 a. Altering speed limitations as provided in R.S.39:4-98;

19 b. Limiting use of streets to certain class of vehicles;

20 c. Designating one-way streets;

21 d. Regulating the stopping or starting of street cars at special
22 places, such as railroad stations, public squares or in front of certain
23 public buildings;

24 e. Regulating the passage or stopping of traffic at certain
25 congested street corners or other designated points;

26 f. Regulating the parking of vehicles on streets and portions
27 thereof, including angle parking as provided in R.S.39:4-135;

28 g. Regulating the parking of vehicles upon land owned or leased
29 and maintained by the municipality, a parking authority or the board
30 of education of a school district, including any lands devoted to the
31 public parking of vehicles, the entrances thereto and exits therefrom;

32 h. Regulating the entrances to and exits from parking yards and
33 parking places which are open to the public or to which the public is
34 invited, except that this shall not apply to entrances or exits to and
35 from State highways;

36 i. Designating streets or roads upon which buses and trucks over
37 four tons gross weight may be required not to exceed specially fixed
38 limits based on engineering and traffic investigation and to use a lower
39 gear in descending steep declivities having a grade in excess of 5%
40 fixing such special speed limits and providing for the use of such a
41 gear thereon.

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.

1 (2) Ordinance or resolution.

2 a. Designating through streets, as provided in article 17 of this
3 chapter (R.S.39:4-140 et seq.);

4 b. Designating and providing for the maintenance as "no passing"
5 zones of portions of highway where overtaking and passing or driving
6 to the left of the roadway is deemed especially hazardous.

7 (3) Ordinance, resolution or regulation.

8 a. Designating stops, stations or stands for omnibuses and taxis;

9 b. Designating curb loading zones;

10 c. Designating restricted parking spaces for use by persons who
11 have been issued special vehicle identification cards by the Division of
12 Motor Vehicles pursuant to the provisions of P.L.1949, c.280
13 (C.39:4-204 et seq.) and section 1 of P.L.1977, c.202 (C.39:4-197.5).
14 Any person parking a motor vehicle in a restricted parking space
15 without a special vehicle identification card shall be liable to a fine of
16 ~~[\$100.00]~~ \$250 for the first offense and, for subsequent offenses, a
17 fine of at least ~~[\$100.00]~~ \$250 and up to 90 days' community service
18 on such terms and in such form as the court shall deem appropriate, or
19 any combination thereof.

20 (cf: P.L.1989, c.201, s.2)

21

22 2. This act shall take effect on the first day of the second month
23 after enactment.

24

25

26

STATEMENT

27

28 This bill increases the fine for parking in a restricted parking space
29 for handicapped persons from \$100 to \$250.

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34 _____
35 Increases fine for parking in parking space restricted for handicapped
persons.

SENATE, No. 2076

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED NOVEMBER 14, 2002

Sponsored by:

Senator BARBARA BUONO

District 18 (Middlesex)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Assemblyman JOSEPH V. EGAN

District 17 (Middlesex and Somerset)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Co-Sponsored by:

**Assemblyman Ahearn, Assemblywoman Greenstein, Assemblymen Blee,
Burzichelli and Guear**

SYNOPSIS

Increases fine for parking in parking space restricted for handicapped persons.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/23/2003)

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2 and amending R.S.39:4-197.

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13 authorize the adoption of regulations by the board, body or official
14 having control of traffic in the public streets, regulating special
15 conditions existent in the municipality on the subjects and within the
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17 (1) Ordinance.

18 a. Altering speed limitations as provided in R.S.39:4-98;

19 b. Limiting use of streets to certain class of vehicles;

20 c. Designating one-way streets;

21 d. Regulating the stopping or starting of street cars at special
22 places, such as railroad stations, public squares or in front of certain
23 public buildings;

24 e. Regulating the passage or stopping of traffic at certain
25 congested street corners or other designated points;

26 f. Regulating the parking of vehicles on streets and portions
27 thereof, including angle parking as provided in R.S.39:4-135;

28 g. Regulating the parking of vehicles upon land owned or leased
29 and maintained by the municipality, a parking authority or the board
30 of education of a school district, including any lands devoted to the
31 public parking of vehicles, the entrances thereto and exits therefrom;

32 h. Regulating the entrances to and exits from parking yards and
33 parking places which are open to the public or to which the public is
34 invited, except that this shall not apply to entrances or exits to and
35 from State highways;

36 i. Designating streets or roads upon which buses and trucks over
37 four tons gross weight may be required not to exceed specially fixed
38 limits based on engineering and traffic investigation and to use a lower
39 gear in descending steep declivities having a grade in excess of 5%
40 fixing such special speed limits and providing for the use of such a
41 gear thereon.

42 (2) Ordinance or resolution.

43 a. Designating through streets, as provided in article 17 of this

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

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1 chapter (R.S.39:4-140 et seq.);

2 b. Designating and providing for the maintenance as "no passing"
3 zones of portions of highway where overtaking and passing or driving
4 to the left of the roadway is deemed especially hazardous.

5 (3) Ordinance, resolution or regulation.

6 a. Designating stops, stations or stands for omnibuses and taxis;

7 b. Designating curb loading zones;

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10 Motor Vehicles pursuant to the provisions of P.L.1949, c.280
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21 after enactment.

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STATEMENT

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27 for handicapped persons from \$100 to \$250.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2076

STATE OF NEW JERSEY

DATED: JANUARY 27, 2003

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 2076.

This bill increases the fine for parking in a restricted parking space for handicapped persons from \$100 to \$250. For subsequent offenses, the fine is increased from a minimum of \$100 to a minimum of \$250.

ASSEMBLY, No. 3038

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED NOVEMBER 25, 2002

Sponsored by:

Assemblyman JOSEPH V. EGAN

District 17 (Middlesex and Somerset)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Co-Sponsored by:

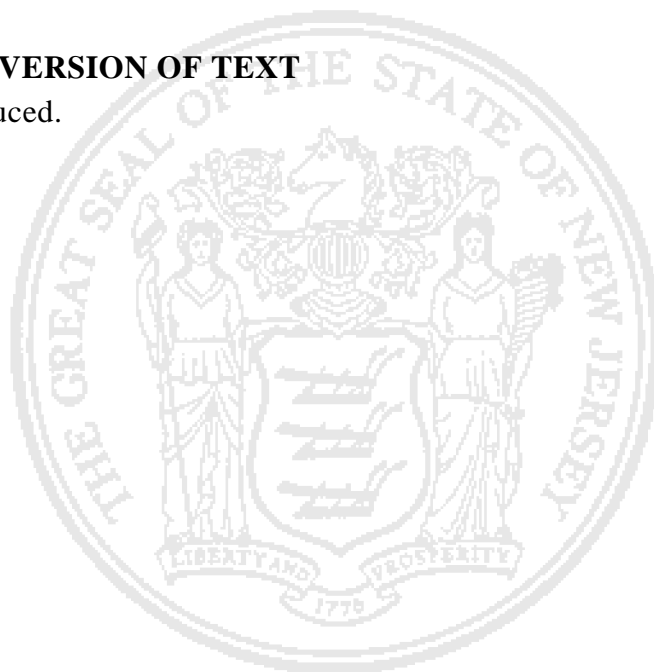
**Assemblyman Ahearn, Assemblywoman Greenstein, Assemblymen Blee,
Burzichelli and Guear**

SYNOPSIS

Increases fine for parking in parking space restricted for handicapped persons.

CURRENT VERSION OF TEXT

As introduced.



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19 b. Limiting use of streets to certain class of vehicles;

20 c. Designating one-way streets;

21 d. Regulating the stopping or starting of street cars at special
22 places, such as railroad stations, public squares or in front of certain
23 public buildings;

24 e. Regulating the passage or stopping of traffic at certain
25 congested street corners or other designated points;

26 f. Regulating the parking of vehicles on streets and portions
27 thereof, including angle parking as provided in R.S.39:4-135;

28 g. Regulating the parking of vehicles upon land owned or leased
29 and maintained by the municipality, a parking authority or the board
30 of education of a school district, including any lands devoted to the
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32 h. Regulating the entrances to and exits from parking yards and
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34 invited, except that this shall not apply to entrances or exits to and
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STATEMENT

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27 for handicapped persons from \$100 to \$250 for a first offense and
28 from \$100 to \$500 for subsequent offenses.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3038

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 2003

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3038.

Assembly Bill No. 3038 increases the fine for parking in a space designated for use by handicapped persons. Under R.S.39:4-197, a person who illegally parks in such a space currently is fined \$100 for a first offense and \$250 for a subsequent offense. The bill amends this section of law to increase the fine to \$250 for a first offense and to \$500 for a subsequent offense.

STATEMENT TO
ASSEMBLY, No. 3038

with Assembly Floor Amendments
(Proposed By Assemblyman EGAN)

ADOPTED: MAY 22, 2003

Currently, Assembly Bill No. 3038 increases the fine for parking in a restricted parking space for handicapped persons from \$100 to \$250 for a first offense and from at least \$100 to at least \$500 for subsequent offenses.

These Assembly amendments reduce the fine for subsequent offenses from at least \$500 to at least \$250.

The amendments make this bill identical to Senate Bill No. 2076.