

39:4-198

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 164
NJSA: 39:4-198 (Clarifies that penalties for unauthorized parking in handicapped parking space are effective even when not posted)
BILL NO: S1810 (Substituted for A3384)

SPONSOR(S): Karcher and others

DATE INTRODUCED: May 8, 2006

COMMITTEE: **ASSEMBLY:** Transportation and Public Works
 SENATE: Transportation

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 21, 2007
 SENATE: June 19, 2006

DATE OF APPROVAL: September 10, 2007

FOLLOWING ARE ATTACHED IF AVAILABLE:

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

S1810

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original 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

A3384

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

SENATE: No

FLOOR AMENDMENT STATEMENT: No

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: No

IS 5/9/08

P.L. 2007, CHAPTER 164, *approved September 10, 2007*
Senate, No. 1810

1 AN ACT concerning handicapped parking spaces and amending
2 R.S.39:4-198.

3

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

6

7 1. R.S.39:4-198 is amended to read as follows:

8 39:4-198. No ordinance, resolution or regulation enacted, passed,
9 or adopted by local authorities nor any regulation adopted by the
10 Commissioner of Transportation under any power given by this
11 chapter or any supplement thereto shall be effective unless due notice
12 thereof is given to the public by placing a sign at the places where the
13 ordinance, resolution or regulation is effective, and by briefing its
14 provisions on signs according to specifications contained in this
15 chapter or as specified by the current Manual on Uniform Traffic
16 Control Devices for streets and highways. These signs shall be so
17 placed as to be easily read by pedestrians or operators of vehicles.
18 Except, in the case of "No Passing" zones, in lieu of or in addition to
19 signs, notice shall be given to the public by highway pavement
20 markings which conform to the current Manual on Uniform Traffic
21 Control Devices for streets and highways.

22 In addition to the specifications in the Manual on Uniform Traffic
23 Control Devices, any sign erected after the effective date of this
24 amendatory and supplementary act to notify the public that parking in
25 a space is reserved for the handicapped shall also state the penalties
26 set forth in paragraph c. of subsection (3) of R.S.39:4-197 which may
27 be imposed for a violation. Signs which were erected prior to the
28 effective date shall be modified within 12 months after the effective
29 date to include the penalty information.

30 It shall not be a defense to the unauthorized use of a parking space
31 reserved for the handicapped pursuant to R.S.39:4-138 that the
32 penalties set forth in paragraph c. of subsection (3) of R.S.39:4-197
33 were not posted or were improperly posted.

34 (cf: P.L.1989, c.201, s.5)

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36 2. This act shall take effect immediately.

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STATEMENT

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41 Under current law, any sign giving notice that a parking space has
42 been reserved for the handicapped must post the penalties for
43 unauthorized parking set forth in paragraph c. of subsection (3) of
44 R.S.39:4-197. These penalties are a fine of \$250 for the first offense
45 and, for subsequent offenses, a fine of at least \$250 and up to 90

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.

S1810

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1 days' community service, or both. This bill clarifies that these
2 penalties are to be imposed for unauthorized parking in a
3 handicapped parking space even if the penalties are not posted or are
4 improperly posted on the handicapped parking sign.

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8

9 Clarifies that penalties for unauthorized parking in handicapped
10 parking space are effective even when not posted.

SENATE, No. 1810

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MAY 8, 2006

Sponsored by:

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

Assemblymen Gusciora, Giblin, Mayer, Diegnan and Gordon

SYNOPSIS

Clarifies that penalties for unauthorized parking in handicapped parking space are effective even when not posted.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2007)

S1810 KARCHER

2

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11 this chapter or any supplement thereto shall be effective unless due
12 notice thereof is given to the public by placing a sign at the places
13 where the ordinance, resolution or regulation is effective, and by
14 briefing its provisions on signs according to specifications
15 contained in this chapter or as specified by the current Manual on
16 Uniform Traffic Control Devices for streets and highways. These
17 signs shall be so placed as to be easily read by pedestrians or
18 operators of vehicles. Except, in the case of "No Passing" zones, in
19 lieu of or in addition to signs, notice shall be given to the public by
20 highway pavement markings which conform to the current Manual
21 on Uniform Traffic Control Devices for streets and highways.

22 In addition to the specifications in the Manual on Uniform
23 Traffic Control Devices, any sign erected after the effective date of
24 this amendatory and supplementary act to notify the public that
25 parking in a space is reserved for the handicapped shall also state
26 the penalties set forth in paragraph c. of subsection (3) of R.S.39:4-
27 197 which may be imposed for a violation. Signs which were
28 erected prior to the effective date shall be modified within 12
29 months after the effective date to include the penalty information.

30 It shall not be a defense to the unauthorized use of a parking
31 space reserved for the handicapped pursuant to R.S.39:4-138 that
32 the penalties set forth in paragraph c. of subsection (3) of R.S.39:4-
33 197 were not posted or were improperly posted.

34 (cf: P.L.1989, c.201, s.5)

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45 offense and, for subsequent offenses, a fine of at least \$250 and up

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S1810 KARCHER

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1 to 90 days' community service, or both. This bill clarifies that these
2 penalties are to be imposed for unauthorized parking in a
3 handicapped parking space even if the penalties are not posted or
4 are improperly posted on the handicapped parking sign.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS
COMMITTEE

STATEMENT TO

SENATE, No. 1810

STATE OF NEW JERSEY

DATED: JANUARY 22, 2007

The Assembly Transportation and Public Works Committee reports favorably Senate Bill No. 1810.

Under current law, any sign giving notice that a parking space has been reserved for the handicapped must post the penalties for unauthorized parking set forth in paragraph c. of subsection (3) of R.S.39:4-197. These penalties are a fine of \$250 for the first offense and, for subsequent offenses, a fine of at least \$250 and up to 90 days' community service, or both. This reported bill clarifies that these penalties are to be imposed for unauthorized parking in a handicapped parking space even if the penalties are not posted or are improperly posted on the handicapped parking sign.

As reported, Senate Bill No. 1810 is identical to Assembly Bill No. 3384 which was released by the committee today.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1810

STATE OF NEW JERSEY

DATED: MAY 15, 2006

The Senate Transportation Committee reports favorably Senate Bill No. 1810.

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ASSEMBLY, No. 3384

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JUNE 26, 2006

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman GARY S. SCHAER

District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

Assemblymen Gusciora, Giblin, Mayer, Diegnan and Gordon

SYNOPSIS

Clarifies that penalties for unauthorized parking in handicapped parking space are effective even when not posted.

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A3384 WISNIEWSKI, SCHAER

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- 2 are improperly posted on the handicapped parking sign.

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COMMITTEE

STATEMENT TO

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