

# 39:4-207.9

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2007            **CHAPTER:** 287  
**NJSA:** 39:4-207.9      (Requires removal of snow and ice from handicapped parking spaces  
24 hours after inclement weather and increases penalties for violations)  
**BILL NO:** S2522            (Substituted for A4047)

**SPONSOR(S):** Vitale and others

**DATE INTRODUCED:** January 29, 2007

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

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**            **ASSEMBLY:** January 7, 2008  
  **SENATE:**            March 15, 2008

**DATE OF APPROVAL:**        January 13, 2008

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (Corrected copy of introduced bill enacted)

S2522

[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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**            No

[LEGISLATIVE FISCAL NOTE](#):            [Yes](#)

A4047

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

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

**SENATE:**            No

**FLOOR AMENDMENT STATEMENT:**            No

[LEGISLATIVE FISCAL NOTE](#):            [Yes](#)

**VETO MESSAGE:**            No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**            No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/IS 6/11/08

P.L. 2007, CHAPTER 287, *approved January 13, 2008*  
Senate, No. 2522  
(Corrected Copy)

1 AN ACT concerning handicapped parking and amending P.L.1999,  
2 c.182.

3

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

6

7 1. Section 1 of P.L.1999, c.182 (C.39:4-207.9) is amended to  
8 read as follows:

9 1. a. A person who owns or controls a parking area which is  
10 open to the public or to which the public is invited and which  
11 contains special parking spaces for the use of persons who have  
12 been issued a placard or wheelchair symbol license plates pursuant  
13 to P.L.1949, c.280 (C.39:4-204 et seq.) shall be responsible for  
14 assuring that access to these special parking spaces and to curb cuts  
15 or other improvements designed to provide accessibility for  
16 handicapped persons is not obstructed.

17 b. If snow or ice is obstructing the special parking space, curb  
18 cut or other improvement designed to provide accessibility for the  
19 handicapped, it shall be removed within **[48]** 24 hours after the  
20 weather condition causing the snow or ice ceases.

21 c. A person who violates this act shall be liable for a penalty of  
22 not less than **[\$200]** \$500 or more than **[\$500]** \$1,000 for each  
23 space that is obstructed.

24 (cf: P.L.1999, c.182, s.1)

25

26 2. This act shall take effect immediately.

27

28 STATEMENT

29

30 Under current law, a person who owns or controls a parking area  
31 is responsible for assuring that parking spaces reserved for  
32 handicapped motorists and curb cuts and other improvements  
33 designed to provide accessibility are not obstructed. If the  
34 obstruction is snow or ice, it must be removed from the parking  
35 space, curb cut or other improvement within 48 hours after the  
36 inclement weather has ended. This bill requires that the snow or ice  
37 be removed within 24 hours after the inclement weather has ended.

38 Current law provides that violators are subject to a fine of \$200  
39 to \$500. Under the provisions of this bill, violators would be  
40 subject to a fine of \$500 to \$1,000 for each space that is obstructed.

41

42

43

44 Requires removal of snow and ice from handicapped parking  
45 spaces 24 hours after inclement weather and increases penalties for  
46 violations.

**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.

[Corrected Copy]

**SENATE, No. 2522**

**STATE OF NEW JERSEY**

**212th LEGISLATURE**

INTRODUCED JANUARY 29, 2007

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator JOSEPH CONIGLIO**

**District 38 (Bergen)**

**Assemblywoman OADLINE D. TRUITT**

**District 28 (Essex)**

**Co-Sponsored by:**

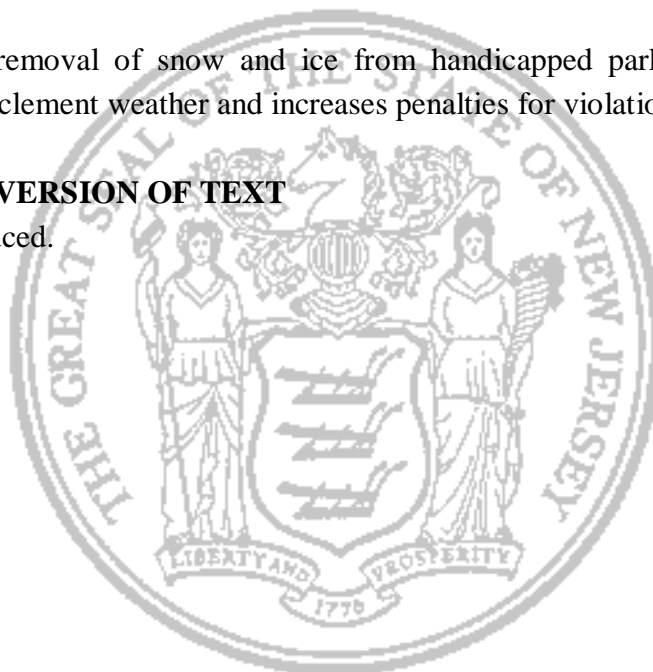
**Assemblywoman Greenstein**

**SYNOPSIS**

Requires removal of snow and ice from handicapped parking spaces 24 hours after inclement weather and increases penalties for violations.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/8/2008)**

S2522 VITALE, CONIGLIO

2

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17 b. If snow or ice is obstructing the special parking space, curb  
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19 handicapped, it shall be removed within **[48]** 24 hours after the  
20 weather condition causing the snow or ice ceases.

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22 not less than **[\$200]** \$500 or more than **[\$500]** \$1,000 for each  
23 space that is obstructed.

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36 space, curb cut or other improvement within 48 hours after the  
37 inclement weather has ended. This bill requires that the snow or ice  
38 be removed within 24 hours after the inclement weather has ended.

39 Current law provides that violators are subject to a fine of \$200  
40 to \$500. Under the provisions of this bill, violators would be  
41 subject to a fine of \$500 to \$1,000 for each space that is obstructed.

**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.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS  
COMMITTEE

STATEMENT TO

**SENATE, No. 2522**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 2007

The Assembly Transportation and Public Works Committee reports favorably Senate Bill No. 2522.

Under current law, a person who owns or controls a parking area is responsible for assuring that parking spaces reserved for handicapped motorists and curb cuts and other improvements designed to provide accessibility are not obstructed. If the obstruction is snow or ice, it must be removed from the parking space, curb cut or other improvement within 48 hours after the inclement weather has ended. Current law provides that violators are subject to a fine of \$200 to \$500.

As reported, this bill requires that the snow or ice be removed within 24 hours rather than 48 hours after the inclement weather has ended. Under the provisions of this bill, violators would be subject to a fine of \$500 to \$1,000 for each space that is obstructed.

As reported, Senate Bill No. 2522 is identical to Assembly Bill No. 4047 which was released by the committee today.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

**SENATE, No. 2522**

**STATE OF NEW JERSEY**

DATED: MARCH 5, 2007

The Senate Transportation Committee reports favorably Senate Bill No. 2522.

Under current law, a person who owns or controls a parking area is responsible for assuring that parking spaces reserved for handicapped motorists and curb cuts and other improvements designed to provide accessibility are not obstructed. If the obstruction is snow or ice, it must be removed from the parking space, curb cut or other improvement within 48 hours after the inclement weather has ended. This bill requires that the snow or ice be removed within 24 hours rather than 48 hours after the inclement weather has ended.

Current law provides that violators are subject to a fine of \$200 to \$500. Under the provisions of this bill, violators would be subject to a fine of \$500 to \$1,000 for each space that is obstructed.

**FISCAL NOTE**  
**SENATE, No. 2522**  
**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

DATED: AUGUST 23, 2007

**SUMMARY**

**Synopsis:** Requires removal of snow and ice from handicapped parking spaces 24 hours after inclement weather and increases penalties for violations.

**Type of Impact:** No expenditure, Minimum revenue.

**Agencies Affected:** Judiciary, Local governments,

**Executive Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost</b>	\$0	\$0	\$0
<b>Local Cost</b>	\$0	\$0	\$0
<b>State &amp; Local Revenue</b>	\$7,400 to \$18,500	\$7,400 to \$18,500	\$7,400 to \$18,500

- The Office of Legislative Services **concurs** with the Executive estimate.
- The bill requires that the snow or ice on handicapped parking spaces in parking lots that are open to the public be removed within 24 hours after the inclement weather has ended and the fine imposed on violators from \$200 to \$500 to a fine of \$500 to \$1,000 for each space that is obstructed.
- The Administrative Office of the Courts (AOC) states that this bill would generate no additional expenditures for State and local governments.
- The AOC states that assuming the minimum penalty was charged, the 2006 total revenue would increase from \$7,400 to \$14,800. Assuming the maximum penalty was imposed, the total revenue would increase from \$18,500 to \$37,000. These funds would be divided between the State, the County and the municipality depending on the application of N.J.S.A. 39:5-40 and 39:5-41; whether the ticket was written by a State, County or municipal law enforcement officer.



## **BILL DESCRIPTION**

Senate Bill No. 2522 of 2007 requires that the snow or ice on handicapped parking spaces in parking lots that are open to the public be removed within 24 hours after the inclement weather has ended. The bill increases the fine imposed on violators from \$200 to \$500 to a fine of \$500 to \$1,000 for each space that is obstructed.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

#### **Expenditures**

The Administrative Office of the Courts (AOC) states that enactment of the bill would generate no additional expenditures for State and local governments.

#### **Revenue**

The AOC states that in calendar year 2004, four tickets were issued in two counties for this offense (N.J.S.A. 39:4-207.9), of which three were determined guilty. In calendar year 2005, a total of 59 tickets were issued in three counties; four defendants were found guilty. In calendar year 2006, 212 tickets were written in three counties. Out of those 212 tickets; one defendant was found guilty in Atlantic County and 36 defendants were found guilty in Gloucester County for a total of 37. Therefore, even though there is an increase in tickets written for this offense over a three year period, and a concomitant increase in the number of guilty determinations, the fiscal impact is minor.

The AOC states that assuming the minimum penalty was charged, the 2006 total revenue would increase from \$7,400 to \$14,800. Assuming the maximum penalty was imposed, the total revenue would increase from \$18,500 to \$37,000. These funds would be divided between the State, the County and the municipality depending on the application of N.J.S.A. 39:5-40 and 39:5-41; whether the ticket was written by a State, County or municipal law enforcement officer.

If the minimum penalty is assessed in all convictions, and all penalties were to go to the State, and additional \$11,100 in State revenue would be raised.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services concurs with the Executive estimate.

*Section:           Judiciary*  
*Analyst:         Anne Raughley*  
*Principal Fiscal Analyst*  
*Approved:       David J. Rosen*  
*Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L. 1980, c.67.

# ASSEMBLY, No. 4047

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 26, 2007

**Sponsored by:**

**Assemblywoman OADLINE D. TRUITT**  
**District 28 (Essex)**

**Co-Sponsored by:**

**Assemblywoman Greenstein**

**SYNOPSIS**

Requires removal of snow and ice from handicapped parking spaces 24 hours after inclement weather and increases penalties for violations.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/8/2008)**

A4047 TRUITT

2

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Matter underlined thus is new matter.

ASSEMBLY TRANSPORTATION AND PUBLIC WORKS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4047**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 2007

The Assembly Transportation and Public Works Committee reports favorably Assembly Bill No. 4047.

Under current law, a person who owns or controls a parking area is responsible for assuring that parking spaces reserved for handicapped motorists and curb cuts and other improvements designed to provide accessibility are not obstructed. If the obstruction is snow or ice, it must be removed from the parking space, curb cut or other improvement within 48 hours after the inclement weather has ended. Current law provides that violators are subject to a fine of \$200 to \$500.

As reported, this bill requires that the snow or ice be removed within 24 hours rather than 48 hours after the inclement weather has ended. Under the provisions of this bill, violators would be subject to a fine of \$500 to \$1,000 for each space that is obstructed.

As reported, Assembly Bill No. 4047 is identical to Senate Bill No. 2522 which was released by the committee today.

**FISCAL NOTE**  
**ASSEMBLY, No. 4047**  
**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

DATED: AUGUST 23, 2007

**SUMMARY**

**Synopsis:** Requires removal of snow and ice from handicapped parking spaces 24 hours after inclement weather and increases penalties for violations.

**Type of Impact:** No expenditure, Minimum revenue.

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**Executive Estimate**

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## **BILL DESCRIPTION**

Assembly Bill No. 4047 of 2007 requires that the snow or ice on handicapped parking spaces in parking lots that are open to the public be removed within 24 hours after the inclement weather has ended. The bill increases the fine imposed on violators from \$200 to \$500 to a fine of \$500 to \$1,000 for each space that is obstructed.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

#### **Expenditures**

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### ***OFFICE OF LEGISLATIVE SERVICES***

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