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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"2 new laws ease life for disabled," The Star Ledger, 9-10-08, p.28

"Corzine approves autism legislation," The Record, 9-10-08, p.A09

LAW/IS 1/2/09

P.L. 2008, CHAPTER 79, *approved September 9, 2008*  
Assembly, No. 839

1 AN ACT concerning the use of wheelchair securement and occupant  
2 securement devices and supplementing chapter 3 of Title 39 of  
3 the Revised Statutes.

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

7  
8 1. The driver of a passenger automobile shall secure or cause to  
9 be secured any wheelchaired passenger in a properly adjusted and  
10 fastened wheelchair securement and occupant securement device.  
11 The securement devices shall be in compliance with Federal Motor  
12 Vehicle Safety Standards.

13 For the purposes of this act, the term "passenger automobile"  
14 shall include vans, pick-up trucks, and utility vehicles.

15  
16 2. A person who violates this act shall be fined \$100. In no  
17 case shall motor vehicle points or automobile insurance eligibility  
18 points pursuant to section 26 of P.L.1990, c.8 (C.17:33B-14) be  
19 assessed against any person for a violation of this act. A person  
20 who is fined under this section for a violation of this act shall not be  
21 subject to a surcharge under the New Jersey Merit Rating Plan as  
22 provided in section 6 of P.L.1983, c.65 (C.17:29A-35).

23  
24 3. This act shall take effect immediately.

25  
26  
27 \_\_\_\_\_  
28  
29 Requires wheelchair securement and occupant securement  
30 devices for wheelchaired passengers.

**ASSEMBLY, No. 839**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

**Assemblyman UPENDRA J. CHIVUKULA**

**District 17 (Middlesex and Somerset)**

**Assemblyman ERIC MUNOZ**

**District 21 (Essex, Morris, Somerset and Union)**

**Co-Sponsored by:**

**Assemblymen Diegnan, Giblin, Vas, Wisniewski, Conners, Moriarty,**

**Assemblywomen Greenstein and Cruz-Perez**

**SYNOPSIS**

Requires wheelchair securement and occupant securement devices for wheelchaired passengers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the use of wheelchair securement and occupant  
2 securement devices and supplementing chapter 3 of Title 39 of  
3 the Revised Statutes.

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22 section 6 of P.L.1983, c.65 (C.17:29A-35).

23  
24 3. This act shall take effect immediately.

25  
26  
27 STATEMENT

28  
29 This bill would require a wheelchaired passenger to be secured in  
30 both a wheelchair securement and occupant securement device  
31 when traveling in a passenger automobile. The bill defines  
32 passenger automobile to include vans, pick-up trucks and utility  
33 vehicles.

34 Under the provisions of this bill, failure to properly secure a  
35 wheelchair bound passenger would result in a \$100 fine. The bill  
36 specifically provides that no motor vehicle points or automobile  
37 insurance eligibility points are to be assessed against a violator, nor  
38 shall a violator be subject to a surcharge under the New Jersey  
39 Merit Rating Plan.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 839**

**STATE OF NEW JERSEY**

DATED: JANUARY 24, 2008

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 839.

Assembly Bill No. 839 requires wheelchaired passengers to be secured in both a wheelchair securement and occupant securement device when traveling in a passenger automobile. The bill defines passenger automobile to include vans, pick-up trucks, and utility vehicles, including sport utility vehicles.

Under the provisions of this bill, failure to properly secure a wheelchair bound passenger would result in a \$100 fine. The bill specifically provides that no motor vehicle points or automobile insurance eligibility points are to be assessed against a violator, nor shall a violator be subject to a surcharge under the New Jersey Merit Rating Plan.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 839**

**STATE OF NEW JERSEY**

DATED: JUNE 9, 2008

The Senate Transportation Committee reports favorably Assembly Bill No. 839.

This bill requires wheelchaired passengers to be secured in both a wheelchair securement and occupant securement device when traveling in a passenger automobile. The bill defines passenger automobile to include vans, pick-up trucks, and utility vehicles, including sport utility vehicles.

Under the provisions of this bill, failure to properly secure a wheelchair bound passenger would result in a \$100 fine. The bill specifically provides that no motor vehicle points or automobile insurance eligibility points are to be assessed against a violator, nor shall a violator be subject to a surcharge under the New Jersey Merit Rating Plan.

# SENATE, No. 989

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JANUARY 28, 2008

**Sponsored by:**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Essex, Morris, Somerset and Union)**

**Co-Sponsored by:**

**Senator Sarlo**

**SYNOPSIS**

Requires wheelchair securement and occupant securement devices for wheelchaired passengers.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/24/2008)**



1 AN ACT concerning the use of wheelchair securement and occupant  
2 securement devices and supplementing chapter 3 of Title 39 of  
3 the Revised Statutes.

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

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8 1. The driver of a passenger automobile shall secure or cause to  
9 be secured any wheelchaired passenger in a properly adjusted and  
10 fastened wheelchair securement and occupant securement device.  
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20 under this section for a violation of this act shall not be subject to a  
21 surcharge under the New Jersey Merit Rating Plan as provided in  
22 section 6 of P.L.1983, c.65 (C.17:29A-35).

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34 Under the provisions of this bill, failure to properly secure a  
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36 specifically provides that no motor vehicle points or automobile  
37 insurance eligibility points are to be assessed against a violator, nor  
38 shall a violator be subject to a surcharge under the New Jersey  
39 Merit Rating Plan.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

**SENATE, No. 989**

**STATE OF NEW JERSEY**

DATED: JUNE 9, 2008

The Senate Transportation Committee reports favorably Senate Bill No. 989.

This bill would require a wheelchaired passenger to be secured in both a wheelchair securement and occupant securement device when traveling in a passenger automobile. The bill defines passenger automobile to include vans, pick-up trucks and utility vehicles.

Under the provisions of this bill, failure to properly secure a wheelchair bound passenger would result in a \$100 fine. The bill specifically provides that no motor vehicle points or automobile insurance eligibility points are to be assessed against a violator, nor shall a violator be subject to a surcharge under the New Jersey Merit Rating Plan.



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JON S. CORZINE  
*Governor*

**For Immediate Release: For More Information:**

**Date:** September 9, 2008                      Robert Corrales

**Phone:** 609-777-2600

Governor Signs Legislation Safeguarding Special Needs Individuals

**TRENTON** - Governor Corzine today signed legislation that enhances protections for some of our most vulnerable citizens.

The first bill, A839/S989, requires wheelchair bound passengers to be secured with a Federal Motor Vehicle Safety Standards approved securement device when traveling in a passenger car or other designated vehicle.

"This measure will not only ensure the safety of wheelchair bound passengers, it will also protect all those who travel New Jersey's roads," said Governor Corzine. "Taking this precaution will help to avoid unnecessary and preventable injuries."

Failure to properly secure a wheelchair bound passenger will now result in a \$100 fine.

"In an accident, an unsecured wheelchair could be thrown forward through a windshield, seriously injuring its occupant,

other passengers in the car, and others nearby," said Senator Madden, (D-Camden and Gloucester), who serves as Vice Chair of the Senate Transportation Panel. "By requiring these wheelchair-bound passengers to be secured while riding, we can help to prevent these types of accidents and increase safety on our roadways."

Primary sponsors of the bill include Assemblymen Upendra J. Chivukula (D-Middlesex, Somerset) and Eric Munoz (R-Essex, Morris, Somerset and Union). Senate primary sponsors were Senators Fred H. Madden Jr. (D-Camden, Gloucester) and Thomas H. Kean, Jr. (R-Essex, Morris, Somerset, Union).

Governor Corzine also signed A1908/S1217, which requires the Departments of Health and Senior Services and Human Services to develop an autism, intellectual and developmental disability training course and curriculum for first responders, including emergency medical technicians, police officers, and firefighters.

"Training first responders to meet the needs of a person with autism has become an acknowledged need across the country," said Governor Corzine. "Autism is an invisible disability - one that is not always immediately recognized. That's why it's important that we supply our emergency responders with accurate information on how to treat and work with these special needs individuals."

New EMTs, volunteer and paid firefighters and local police officer recruits would be required to complete the training as a condition of certification. EMTs, firefighters and police officers who are currently licensed in New Jersey would be required to complete the training as a continuing education course within three years of the bill's enactment date.

"With his signature today, Governor Corzine is keeping New Jersey squarely at the forefront of the national effort to clear roadblocks and raise awareness so autistic individuals can become independent and successful members of society," said Speaker Roberts (D-Camden).

"Training courses like the ones called for in this legislation are absolutely necessary to help protect people with special needs, and the first responders who may come to their rescue in an emergency situation," said Senator Robert M. Gordon (D-Bergen). "While I am confident that our law enforcement officers and first responders work hard to treat all people with respect, this is an issue of fairness. I would hate to hear of a person living with autism being physically harmed because of their inability to comprehend instructions they've been given."

"Although New Jersey is a national leader in providing care and support for those with autism, it is essential that our first-responder network is sufficiently trained to recognize autism and how to handle individuals who have this disorder," said Assemblyman Scalera (D-Essex) "Giving New Jersey's police officers and firefighters the tools and training to understand and help individuals with autism will make them better professionals."

Primary sponsors of the legislation in the Assembly were Assembly Speaker Joseph J. Roberts, Jr. (D-Camden) and Assemblymen Frederick Scalera (D-Essex) and Paul D. Moriarity (D-Camden, Gloucester). Sponsors in the Senate included Senators Loretta Weinberg (D-Bergen) and Robert M. Gordon (D-Bergen).

New Jersey has the highest rate of prevalence of autism among states studied by the CDC, or 1 in every 94 children in the state has autism. Last September, Governor Corzine signed a package of seven bills relating to autism spectrum disorders.

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Office of the Governor

PO Box 001

Trenton, NJ 08625

609-292-6000