

39:4-96

LEGISLATIVE HISTORY CHECKLIST  
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(Traffic violations--public parking)

NJSA: 39:4-96  
LAWS OF: 1995 CHAPTER: 70  
BILL NO: A1178  
SPONSOR(S): Impreveduto & Kelly  
DATE INTRODUCED: February 7, 1994  
COMMITTEE: ASSEMBLY: Judiciary  
SENATE: Law & Public Safety  
AMENDED DURING PASSAGE: No  
DATE OF PASSAGE: ASSEMBLY: September 26, 1994  
SENATE: March 2, 1995  
DATE OF APPROVAL: April 10, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes  
COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes  
FISCAL NOTE: No  
VETO MESSAGE: No  
MESSAGE ON SIGNING: No  
FOLLOWING WERE PRINTED:  
REPORTS: No  
HEARINGS: No

See newspaper clipping--attached:

→ "Reckless driving applies to parking," 4-11-95. Star Ledger.

DEPT. OF TREASURY  
NJ STATE ARCHIVES  
1000 WEST WASHINGTON ST.  
TREASURY BLDG.  
TREASURY DIV.  
TREASURY DIV.  
TREASURY DIV.

P.L.1995, CHAPTER 70, approved April 10, 1995  
1994 Assembly No. 1178

1 AN ACT concerning motor vehicles and amending R.S.39:4-1,  
2 R.S.39:4-96 and R.S.39:4-97.

3

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

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

7 39:4-1. The provisions of this chapter applicable to the drivers  
8 of vehicles on the highways shall also apply to the drivers of all  
9 vehicles owned or operated by this State, the United States, any  
10 territorial or Federal district, any other State or any county,  
11 municipality or any other political subdivision thereof, subject to  
12 such specific exceptions as are set forth in this chapter.

13 The provisions of this chapter shall apply to the owners and  
14 drivers of vehicles on [the] highways, [including] roadways [or] ,  
15 driveways, parking areas or upon any grounds owned and  
16 maintained by the State of New Jersey, or any State department  
17 or agency, the counties, the municipalities and the school district  
18 boards of education of this State.

19 This chapter shall not apply to persons, teams, motor vehicles  
20 and other equipment while actually engaged in work on the  
21 surface of a highway, but shall apply to such persons and vehicles  
22 when traveling to or from the work.

23 (cf: P.L.1951, c.23, s.1)

24 2. R.S.39:4-96 is amended to read as follows:

25 39:4-96. A person who drives a vehicle [on a highway]  
26 heedlessly, in willful or wanton disregard of the rights or safety  
27 of others, in a manner so as to endanger, or be likely to endanger,  
28 a person or property, shall be guilty of reckless driving and be  
29 punished by imprisonment in the county or municipal jail for a  
30 period of not more than 60 days, or by a fine of not less than  
31 \$50.00 or more than \$200.00, or both.

32 On a second or subsequent conviction he shall be punished by  
33 imprisonment for not more than [3] three months, or by a fine of  
34 not less than \$100[.00] or more than \$500[.00], or both.

35 (cf: P.L.1982, c.45, s.3)

36 3. R.S.39:4-97 is amended to read as follows:

37 39:4-97. A person who drives a vehicle [on a highway]  
38 carelessly, or without due caution and circumspection, in a  
39 manner so as to endanger, or be likely to endanger, a person or  
40 property, shall be guilty of careless driving.

41 (cf: P.L.1955, c.220, s.2)

42 4. This act shall take effect immediately.

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.

STATEMENT

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This bill includes parking areas among those other places, such as highways, roadways, driveways or grounds owned and maintained by government entities, where traffic laws codified in chapter 4 of Title 39 of the Revised Statutes may be enforced.

The bill further broadens the scope of enforcement for reckless driving and careless driving violations by removing the phrase "on a highway" from the statutes establishing these offenses. This change will make these charges applicable to persons who drive recklessly or carelessly within any area open to vehicular traffic or usage. This is consistent with the application of R.S. 39:4-50, the drunk driving statute, which the courts have held to be valid in parking lots and other non-public areas.

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Makes traffic laws valid in areas other than highways.

**ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY  
COMMITTEE**

**STATEMENT TO**

**ASSEMBLY, No. 1178**

**STATE OF NEW JERSEY**

**DATED: MAY 5, 1984**

The Assembly Judiciary, Law and Public Safety Committee reports favorably Assembly Bill No. 1178.

This bill amends R.S.39:4-1 to include parking areas among those other places, such as highways, roadways, driveways or grounds owned and maintained by government entities, where traffic laws codified in chapter 4 of Title 39 of the Revised Statutes may be enforced.

The bill further broadens the scope of enforcement for reckless driving by amending R.S.39:4-86 and careless driving by amending R.S.39:4-97 by removing the phrase "on a highway". This change will make these charges applicable to persons who drive recklessly or carelessly within any area open to vehicular traffic or usage.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1178

STATE OF NEW JERSEY

DATED: JANUARY 23, 1995

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1178.

This bill amends R.S.39:4-1 to include parking areas among those other places, such as highways, roadways, driveways or grounds owned and maintained by government entities, where traffic laws codified in chapter 4 of Title 39 of the Revised Statutes may be enforced.

The bill further broadens the scope of enforcement for reckless driving by amending R.S.39:4-96 and careless driving by amending R.S.39:4-97 by removing the phrase "on a highway". This change will make these charges applicable to persons who drive recklessly or carelessly within any area open to vehicular traffic or usage. This is consistent with the application of R.S.39:4-50, the drunk driving statute, which the courts have held to be valid in parking lots and other non-public areas.

This bill is identical to Senate Bill No. 928, which also was released by the committee on this date.