

39:4-209

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 39:4-209

(Handicapped
parking--allow
podiatrists to
certify)

LAWS OF: 1991

CHAPTER: 49

Bill No: A1881

Sponsor(s): Doria

Date Introduced: Pre-filed

Committee: **Assembly:** Commerce

Senate: Law, Public Safety

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: **Assembly:** May 14, 1990

Senate: January 24, 1991

Date of Approval: March 6, 1991

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

KBG/SLJ

APR 11 1991

[FIRST REPRINT]
ASSEMBLY, No. 1881

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblymen DORIA and MORAN

1 AN ACT concerning handicapped driver certification and
2 amending P.L.1949, c.280.

3

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

6 1. Section 1 of P.L.1949, c.280 (C.39:4-204) is amended to read
7 as follows:

8 1. The term "handicapped person" as employed herein shall
9 include any person who has lost the use of one or more limbs as a
10 consequence of paralysis, amputation, or other permanent
11 disability or who is permanently disabled as to be unable to
12 ambulate without the aid of an assisting device or whose mobility
13 is otherwise limited as certified by a physician with a plenary
14 license to practice medicine and surgery or a podiatrist licensed
15 to practice in this State or a bordering state.

16 (cf: P.L.1981, c.36, s.1)

17 2. Section 3 of P.L.1949, c.280 (C.39:4-206) is amended to
18 read as follows:

19 3. The director shall issue to such applicant, also, a placard of
20 such size and design as shall be determined by the director in
21 consultation with the Division of Vocational Rehabilitation
22 Services in the Department of Labor, indicating that a
23 handicapped person identification card has been issued to the
24 person designated therein, which shall be displayed in such
25 manner as the director shall determine on the motor vehicle used
26 to transport the handicapped person, when the vehicle is parked
27 overtime or in special parking places established for use by
28 handicapped persons.

29 Notwithstanding any provision of this act to the contrary, the
30 chief of police of each municipality in this State shall issue to
31 any person who has temporarily lost the use of one or more limbs
32 or is temporarily disabled as to be unable to ambulate without the
33 aid of an assisting device or whose mobility is otherwise
34 temporarily limited, as certified by a physician with a plenary
35 license to practice medicine and surgery or a podiatrist licensed
36 to practice in this State or a bordering state, a temporary placard
37 of not more than six months' duration. Each temporary
38 handicapped placard issued under the provisions of this section
39 shall set forth the date on which it shall become invalid.

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.

Matter enclosed in superscript numerals has been adopted as follows:
1 Assembly ACP committee amendments adopted April 26, 1990.

1 The temporary placard shall be granted upon written
2 certification by a physician with a plenary license to practice
3 medicine and surgery ¹or a podiatrist licensed to practice¹ in this
4 State or a bordering state that the person meets the conditions
5 constituting temporary disability as provided in this section. This
6 certification shall be provided on a standard form to be developed
7 by the director in consultation with local chiefs of police and
8 representatives of the handicapped. The form shall contain only
9 those conditions constituting temporary disability as are provided
10 in this section. The physical presence of the handicapped person
11 shall not be required for the issuance of a temporary handicapped
12 placard.

13 The placard may be renewed one time at the discretion of the
14 issuing authority for a period of not more than six months'
15 duration. The placard shall be displayed on the motor vehicle used
16 by the temporarily handicapped person and shall give the person
17 the right to park overtime or to use special parking places
18 established for use by handicapped persons in any municipality of
19 this State.

20 The fee for the issuance of such temporary or permanent
21 placard issued pursuant to this section shall be \$4.00 and payable
22 to the Director of the Division of Motor Vehicles.

23 The director may, in addition, issue license plates bearing the
24 national wheelchair symbol for not more than two motor vehicles
25 owned, operated or leased by a handicapped person or by any
26 person furnishing transportation on his behalf.

27 The fee for the issuance of such plates shall be \$10.00 for each
28 vehicle.

29 (cf: P.L.1989, c.201, s.3)

30 3. This act shall take effect immediately.

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MOTOR VEHICLES

34

35 Permits podiatrist to certify handicap for parking privilege.

ASSEMBLY, No. 1881

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblymen DORIA and MORAN

1 AN ACT concerning handicapped driver certification and
2 amending P.L.1949, c.280.

3

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

6 1. Section 1 of P.L.1949, c.280 (C.39:4-204) is amended to read
7 as follows:

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9 include any person who has lost the use of one or more limbs as a
10 consequence of paralysis, amputation, or other permanent
11 disability or who is permanently disabled as to be unable to
12 ambulate without the aid of an assisting device or whose mobility
13 is otherwise limited as certified by a physician with a plenary
14 license to practice medicine and surgery or a podiatrist licensed
15 to practice in this State or a bordering state.

16 (cf: P.L.1981, c.36, s.1)

17 2. Section 3 of P.L.1949, c.280 (C.39:4-206) is amended to
18 read as follows:

19 3. The director shall issue to such applicant, also, a placard of
20 such size and design as shall be determined by the director in
21 consultation with the Division of Vocational Rehabilitation
22 Services in the Department of Labor, indicating that a
23 handicapped person identification card has been issued to the
24 person designated therein, which shall be displayed in such
25 manner as the director shall determine on the motor vehicle used
26 to transport the handicapped person, when the vehicle is parked
27 overtime or in special parking places established for use by
28 handicapped persons.

29 Notwithstanding any provision of this act to the contrary, the
30 chief of police of each municipality in this State shall issue to
31 any person who has temporarily lost the use of one or more limbs
32 or is temporarily disabled as to be unable to ambulate without the
33 aid of an assisting device or whose mobility is otherwise
34 temporarily limited, as certified by a physician with a plenary
35 license to practice medicine and surgery or a podiatrist licensed
36 to practice in this State or a bordering state, a temporary placard
37 of not more than 6 months' duration. The placard may, however,
38 be renewed one time at the discretion of the issuing authority for
39 a period of not more than 6 months' duration. The placard shall

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 be displayed on the motor vehicle used by the temporarily
2 handicapped person and shall give the person the right to park
3 overtime or to use special parking places established for use by
4 handicapped persons in any municipality of this State.

5 The fee for the issuance of such temporary or permanent
6 placard issued pursuant to this section shall be \$4.00 and payable
7 to the Director of the Division of Motor Vehicles.

8 The director may, in addition, issue license plates bearing the
9 national wheelchair symbol for not more than two motor vehicles
10 owned, operated or leased by a handicapped person or by any
11 person furnishing transportation on his behalf.

12 The fee for the issuance of such plates shall be \$10.00 for each
13 vehicle.

14 (cf: P.L.1983, c.96, s.1)

15 3. This act shall take effect immediately.

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STATEMENT

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20 This bill authorizes a podiatrist licensed to practice in this
21 State or a bordering State to certify the existence of a
22 permanent or temporary physical disability which would qualify a
23 person to receive handicapped driver parking privileges. Under
24 existing law, only a physician may make this certification.

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MOTOR VEHICLES

28

29 Permits podiatrist to certify handicap for parking privilege.

ASSEMBLY COMMERCE AND REGULATED PROFESSIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1881

with committee amendments

STATE OF NEW JERSEY

DATED: APRIL 26, 1990

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 1881 with committee amendments.

As amended, this bill authorizes a podiatrist licensed to practice in this State or a bordering State to certify the existence of a permanent or temporary physical disability which would qualify a person to receive handicapped driver parking privileges. Under existing law, only a physician may make this certification.

The committee amended the bill so that the most recently enacted provisions of law, as contained in section 3 of P.L.1989, c.201 (C.39:4-206), are referenced in the bill. In addition, these amendments provide that a podiatrist licensed to practice in this State or a bordering state is authorized to certify that a person meets the conditions constituting temporary disability as provided in this section of law. P.L.1989, c.201 authorized physicians to make such certification for persons with a temporary disability.

This bill was pre-filed for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review which has been performed.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1881

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1990

The Senate Law, Public Safety and Defense Committee reports favorably Assembly Bill No. 1881 [1R].

This bill authorizes a podiatrist licensed to practice in this State, or in a bordering State, to certify the existence of a permanent or temporary physical disability which would qualify a person to receive handicapped driver parking privileges. Under existing law, only a physician may make this certification.

As released by the committee, this bill is identical to Senate Bill No. 2654 of 1990.