

39: 4-138.3

LEGISLATIVE HISTORY CHECKLIST  
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NJSA: 39:4-138.3 (Parking in driveways)

LAWS OF: 1991 CHAPTER: 297

Bill No: A1840

Sponsor(s): Doria

Date Introduced: Pre-filed

Committee: Assembly: Municipal Government

Senate: Law, Public Safety

Amended during passage: No

Date of Passage: Assembly: May 21, 1990

Senate: July 29, 1991

Date of Approval: October 4, 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/dgw

P.L.1991, CHAPTER 297, approved October 4, 1991,

1990 Assembly No. 1840

1 AN ACT concerning motor vehicles and supplementing chapter 4  
2 of Title 39 of the Revised Statutes.

3  
4 BE IT ENACTED by the Senate and General Assembly of the  
5 State of New Jersey:

6 1. Notwithstanding the provisions of R.S.39:4-138 to the  
7 contrary, any municipality may by ordinance, permit the parking  
8 of motor vehicles in front of private driveways whenever both the  
9 motor vehicle and driveway involved are owned by the same  
10 person, whenever the motor vehicle is owned by a member of the  
11 same household, as the owner of the private driveway, or  
12 whenever the owner of the private driveway authorizes the  
13 parking of a motor vehicle in front of the private driveway; and  
14 where such parking is not otherwise prohibited and the permitting  
15 thereof would not interfere with the normal flow of traffic.

16 2. Any municipality enacting an ordinance pursuant to section  
17 1 of this act shall provide for the issuance of permits which  
18 authorize the parking of motor vehicles in front of private  
19 driveways and identify the location of the driveway in front of  
20 which the parking of a motor vehicle is permitted. The permits  
21 shall be issued to owners of private driveways and to members of  
22 the same household as the owner of a private driveway provided  
23 that a completed application for a permit has been filed as  
24 required by the municipality.

25 An owner of a private driveway shall be eligible to apply for up to  
26 three permits for his own motor vehicles or for use by other  
27 parties authorized by the owner to park in front of the private  
28 driveway. Each member of the owner's household who owns a  
29 motor vehicle shall also be eligible to apply for a permit issued  
30 under this section. The permit shall be 5 1/2 inches by 8 1/2  
31 inches in size, shall bear an appropriate certification of  
32 authenticity and shall be displayed prominently within the vehicle  
33 when it is parked so as to be seen from the middle of the street.

34 3. A motor vehicle shall not be permitted to be parked in front  
35 of a private driveway unless the owner of the private driveway or  
36 a member of the owner's household has been issued a valid  
37 permit and the permit is properly displayed, or unless the owner  
38 has authorized another party to use and display the owner's  
39 permit for parking in front of the private driveway, and the  
40 permit is valid and properly displayed. A municipality may, by  
41 ordinance, establish a fee for these permits.

1 4. This act shall take effect immediately.

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**LOCAL GOVERNMENT**

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**Authorizes municipalities to enact an ordinance providing for the  
parking of motor vehicles in front of private driveways.**

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ASSEMBLY, No. 1840

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblyman DORIA

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STATEMENT

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6 This bill authorizes any municipality in the State to enact an  
7 ordinance providing for the parking of motor vehicles in front of  
8 private driveways.

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10 ~~The bill provides that such ordinance may permit the parking of~~  
11 a motor vehicle in front of a private driveway by the owner of  
12 the private driveway, any member of the owner's household or  
13 any person authorized by the owner to park in front of the  
14 owner's private driveway provided that: (1) parking in front of  
15 private driveways is not otherwise prohibited; and (2) the normal  
16 flow of traffic will not be interfered with by allowing such  
17 parking.

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18 The bill further provides that no motor vehicle shall be  
19 permitted to be parked in front of a private driveway unless a  
20 valid permit has been issued to allow parking in front of the  
21 private driveway and such permit is properly displayed.

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LOCAL GOVERNMENT

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25 Authorizes municipalities to enact an ordinance providing for the  
26 parking of motor vehicles in front of private driveways.

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

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LOCAL GOVERNMENT

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1840

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 1990

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 1840.

This bill authorizes any municipality in the State to enact an ordinance providing for the parking of motor vehicles in front of private driveways.

The bill provides that such ordinance may permit the parking of a motor vehicle in front of a private driveway by the owner of the private driveway, any member of the owner's household or any person authorized by the owner to park in front of the owner's private driveway provided that: (1) parking in front of private driveways is not otherwise prohibited; and (2) the normal flow of traffic will not be interfered with by allowing such parking.

The bill further provides that no motor vehicle shall be permitted to be parked in front of a private driveway unless a valid permit has been issued to allow parking in front of the private driveway and such permit is properly displayed.

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

ASSEMBLY, No. 1840

STATE OF NEW JERSEY

DATED: JUNE 10, 1991

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill No. 1840.

Under this bill, a municipality may enact an ordinance to allow a person to park a motor vehicle in front of a private driveway.

A valid permit must be issued by the municipality before a vehicle is parked in front of a private driveway and the permit must be displayed on the vehicle.

The ordinance may allow parking in front of a private driveway only by the owner of the driveway, a member of the owner's household, or a person authorized by the owner to park there, provided that (1) parking in front of private driveways is not otherwise prohibited and (2) the normal flow of traffic will not be impeded.