

# ASSEMBLY, No. 5360

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 30, 2023

**Sponsored by:**

**Assemblyman BRANDON E. UMBA**

**District 8 (Atlantic, Burlington and Camden)**

**SYNOPSIS**

Extends right to hawk, peddle, and vend food items on premises of State-owned or State-leased office building.

**CURRENT VERSION OF TEXT**

As introduced.





1 AN ACT concerning hawking, peddling, and vending on certain  
2 property and amending R.S.45:24-9, R.S.45:24-9.1, and  
3 R.S.45:24-13.

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

7  
8 1. R.S.45:24-9 is amended to read as follows:

9 45:24-9. a. The following persons shall have the right to  
10 hawk, peddle and vend any goods, wares or merchandise or solicit  
11 trade within this State, by procuring a license for that purpose to be  
12 issued in the manner and under the conditions hereinafter in this  
13 article prescribed, except, however, the aforesaid right to hawk,  
14 peddle and vend any goods, wares or merchandise or solicit trade  
15 shall not extend to or include any public beach or public boardwalk:

16 **[a.] (1)** Every person who has been honorably discharged or  
17 discharged under honorable conditions from the active military  
18 service of the United States, who is a resident of this State.

19 **[b.] (2)** Every exempt member of a volunteer fire department,  
20 volunteer fire engine, hook and ladder, hose, supply company or  
21 salvage corps, of any municipality or fire district in this State, who  
22 holds an exemption certificate issued to **[him]** the member as an  
23 exempt member of any such department, company or corps, and  
24 who is a resident of this State.

25 b. Hawking, peddling and vending hereafter may be regulated  
26 by municipal ordinance on public streets and highways.

27 c. A person, as described in paragraph (1) of subsection a. of  
28 this section, who holds a county-issued license to hawk, peddle, and  
29 vend food items within the county shall have that right extended to  
30 include on the property or premises of any State-owned or State-  
31 leased office building in that county if that action does not unduly  
32 interfere with traffic, public safety, the conduct of State business, or  
33 a contract that is in effect on the effective date of P.L. c.  
34 (C. ) (pending before the Legislature as this bill).

35 (cf: P.L.2019, c.211, s.1)

36  
37 2. R.S.45:24-9.1 is amended to read as follows:

38 45:24-9.1 No license shall be issued to any person described in  
39 **[subparagraph "a" of section 45:24-9 of this title]** paragraph (1) of  
40 subsection a. of R.S.45:24-9 for hawking, peddling, and vending  
41 emblems, flags, natural or artificial flowers, magazines, pamphlets,  
42 postcards or any printed matter, or any article emblematic or  
43 symbolic of, or referring to the army, navy, marine corps, or any  
44 veterans' association, unless such licensee shall have been a bona  
45 fide resident of the county wherein **[he]** the person resides for three

**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 months immediately preceding the issuance of such license; and  
2 any such license shall be effective only in the county wherein such  
3 licensee resides.

4 (cf: R.S.45:24-9.1)

5  
6 3. R.S.45:24-13 is amended to read as follows:

7 45:24-13 Any judge of the municipal court, after due notice  
8 and a hearing, shall have power to order the cancellation of any  
9 license issued under the authority of paragraph (1) of subsection a.  
10 of R.S. 45:24-9 if: a. the license has been sold or transferred by the  
11 original licensee; b. during the term of the license, the licensee has  
12 been convicted of a crime and this conviction relates adversely to  
13 the activity for which the license was granted; or c. during the term  
14 of the license, the licensee has been found guilty of violating a  
15 municipal ordinance and this violation relates adversely to the  
16 activity for which the license was granted. The judge of the  
17 municipal court shall mail the order of cancellation to the county  
18 clerk in whose county the license was granted and thereupon the  
19 county clerk shall cancel the same of record and file the order of  
20 cancellation in **his** the clerk's office and send notice of such  
21 cancellation to the office of the adjutant general. Application for a  
22 new license may be made at any time after the expiration of one  
23 year from the date of the cancellation. Any licensee holding a  
24 license issued under the authority of paragraph (1) of subsection a.  
25 of R.S. 45:24-9 who shall sell or transfer such license shall be  
26 guilty of a crime of the fourth degree and punished accordingly. A  
27 "transfer" has occurred under this section if the original licensee  
28 knowingly permits someone other than **himself** the licensee to  
29 use the license to engage in the activity for which the license was  
30 granted.

31 (cf: P.L.1984, c.194, s.3)

32  
33 4. This act shall take effect immediately.

#### 34 35 36 STATEMENT

37  
38 Under current law (R.S.45:24-9), certain veterans and volunteer  
39 fire department members have the right to hawk, peddle, and vend  
40 any goods, wares or merchandise or solicit trade within this State,  
41 except on any public beach or public boardwalk. This bill expands  
42 the law to provide that a veteran who holds a county-issued license  
43 to hawk, peddle, and vend food items within a county will have that  
44 right extended to include on the property or premises of any State-  
45 owned or State-leased office building in that county if that action  
46 does not unduly interfere with traffic, public safety, the conduct of  
47 State business, or a contract that is in effect on the effective date of  
48 the bill.