

[First Reprint]

**SENATE, No. 139**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator NICHOLAS J. SACCO**

**District 32 (Bergen and Hudson)**

**Co-Sponsored by:**

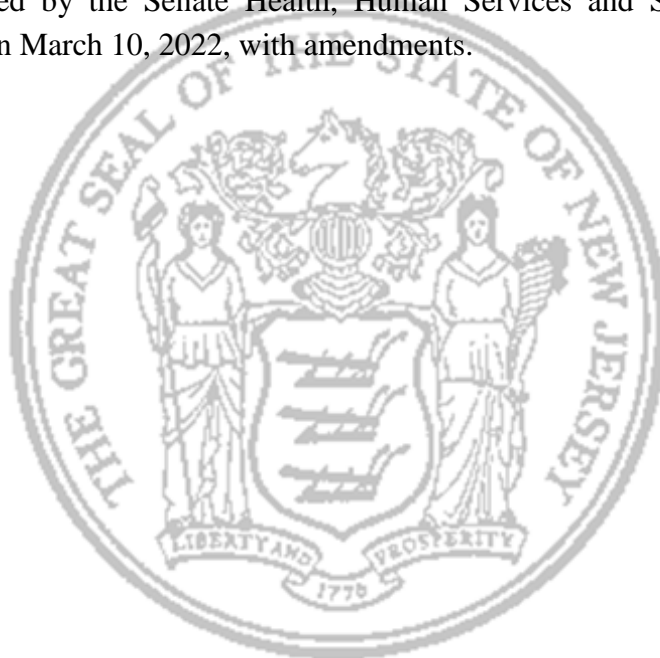
**Senators Durr, Corrado and Zwicker**

**SYNOPSIS**

Allows parent or primary caregiver of person with autism to apply for use of reserved parking zones.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on March 10, 2022, with amendments.



**(Sponsorship Updated As Of: 5/8/2023)**

1 AN ACT concerning <sup>1</sup>**handicapped** reserved<sup>1</sup> parking <sup>1</sup>**and** ,<sup>1</sup>  
2 amending P.L.1977, c.309 <sup>1</sup>and P.L.1949, c.280,<sup>1</sup> and  
3 supplementing <sup>1</sup>**chapter 4 of**<sup>1</sup> Title 39 of the Revised Statutes.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. Section 1 of P.L.1977, c.309 (C.39:4-197.6) is amended to  
9 read as follows:

10 1. Any municipality may, by ordinance, establish a restricted  
11 parking zone in front of a residence occupied by a person with a  
12 disability <sup>1</sup>or a person with autism<sup>1</sup> if a windshield placard or  
13 wheelchair symbol license plates have been issued <sup>1</sup>by the New  
14 Jersey Motor Vehicle Commission<sup>1</sup> for a vehicle owned by the  
15 person with a disability, or by another occupant of the residence  
16 who is <sup>1</sup>**the primary caregiver or**<sup>1</sup> a member of the immediate  
17 family of the person with a disability <sup>1</sup>**,** by the New Jersey Motor  
18 Vehicle Commission<sup>1</sup> pursuant to the provisions of P.L.1949,  
19 c.280 (C.39:4-204 et seq.) <sup>1</sup>, or for a vehicle owned by the parent or  
20 primary caregiver of a person with autism pursuant to the  
21 provisions of P.L. , c. (C. ) (pending before the Legislature as  
22 this bill)<sup>1</sup> , provided such parking is not otherwise prohibited and  
23 the permitting thereof would not interfere with the normal flow of  
24 traffic.

25 (cf: P.L.2017, c.131, s.158)  
26

27 <sup>1</sup>2. Section 3 of P.L.1949, c.280 (C.39:4-204) is amended to  
28 read as follows:

29 3. The chief administrator shall issue to **such applicant, also,**  
30 an individual with a person with a disability identification card or  
31 person with autism identification card a placard of such size and  
32 design as shall be determined by the chief administrator in  
33 consultation with the Division of Vocational Rehabilitation Services  
34 in the Department of Labor and Workforce Development and the  
35 Division of Disability Services in the Department of Human  
36 Services, **indicating that a person with a disability identification**  
37 **card has been issued to the person designated therein,** which shall  
38 be displayed in such manner as the chief administrator shall  
39 determine on the motor vehicle used to transport the person with a  
40 disability or the person with autism, when the vehicle is parked  
41 overtime or in special parking places established for use by persons  
42 with disabilities and persons with autism. If issued in conjunction  
43 with a person with a disability identification card pursuant to

**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:

<sup>1</sup>Senate SHH committee amendments adopted March 10, 2022.

1 section 2 of P.L.1949, c.280 (C.39:4-205) or a person with autism  
2 identification card pursuant to section 3 of P.L. \_\_\_\_\_,  
3 c. (C. \_\_\_\_\_)(pending before the Legislature as this bill), the placard  
4 issued pursuant to this paragraph shall be valid until the last day of  
5 the 36th calendar month following the calendar month in which  
6 such placard was issued. If the placard is issued following the date  
7 on which the chief administrator issued the applicant a person with  
8 a disability identification card pursuant to section 2 of P.L.1949,  
9 c.280 (C.39:4-205) or a person with autism identification card  
10 pursuant to section 3 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_)(pending before the  
11 Legislature as this bill), then that placard shall be valid up until the  
12 date on which the person with a disability identification card or  
13 person with autism identification card is deemed invalid. Any  
14 placard issued by the chief administrator shall display, in a clearly  
15 visible manner, the date on which it shall become invalid. The  
16 placard may be renewed upon application in accordance with the  
17 requirements of this chapter.

18 Any placard issued prior to the effective date of P.L.2013, c.3  
19 shall be deemed invalid on the last day of the 36th calendar month  
20 following the calendar month in which such effective date occurs.  
21 The chief administrator may recall any placard deemed invalid  
22 pursuant to this section.

23 Notwithstanding any provision of P.L.1949, c.280 (C.39:4-204 et  
24 seq.) to the contrary, the chief of police of each municipality in this  
25 State shall issue a temporary placard of not more than six months'  
26 duration to any person who has temporarily lost the use of one or  
27 more limbs or has a temporary disability as to be unable to  
28 ambulate without the aid of an assisting device or whose mobility is  
29 otherwise temporarily limited, as certified by a physician with a  
30 plenary license to practice medicine and surgery in this State or a  
31 bordering State; a podiatrist licensed to practice in this State or a  
32 bordering state; a physician stationed at a military or naval  
33 installation located in this State who is licensed to practice in any  
34 state; a chiropractic physician licensed to practice in this State or a  
35 bordering state; a physician assistant licensed to practice in this  
36 State or a bordering state; or a nurse practitioner licensed to practice  
37 in this State or a bordering state. Each temporary placard issued  
38 under the provisions of this section shall display, in a clearly visible  
39 manner, the date on which it shall become invalid.

40 The temporary placard shall be granted upon written certification  
41 by a physician with a plenary license to practice medicine and  
42 surgery in this State or a bordering State ; a podiatrist licensed to  
43 practice in this State or a bordering state; a physician stationed at a  
44 military or naval installation located in this State who is licensed to  
45 practice in any state; a chiropractic physician licensed to practice in  
46 this State or a bordering state, a physician assistant licensed to  
47 practice in this State or a bordering state; or a nurse practitioner  
48 licensed to practice in this State or a bordering state that the person

1 meets the conditions constituting temporary disability as provided  
2 in this section. This certification shall be provided on a standard  
3 form to be developed by the chief administrator in consultation with  
4 local chiefs of police and representatives of persons with  
5 disabilities. The form shall contain only those conditions  
6 constituting temporary disability as are provided in this section.  
7 The physical presence of the person with a disability shall not be  
8 required for the issuance of a temporary placard.

9 The temporary placard may be renewed one time at the  
10 discretion of the issuing authority for a period of not more than six  
11 months' duration. The placard shall be displayed on the motor  
12 vehicle used by the person with a temporary disability and shall  
13 give the person the right to park overtime or to use special parking  
14 places established for use by persons with disabilities in any  
15 municipality of this State.

16 The fee for the issuance of a temporary placard issued pursuant  
17 to this section shall be \$4.00 and payable to the New Jersey Motor  
18 Vehicle Commission. No fee shall be charged for the issuance of a  
19 permanent placard issued pursuant to this section.

20 The chief administrator may, in addition, issue license plates  
21 bearing the national wheelchair symbol for:

22 a. Not more than two motor vehicles owned, operated or leased  
23 by a person with a disability or by any person furnishing  
24 transportation on his behalf, or by the parent or primary caregiver of  
25 a person with autism; or

26 b. Any two motorcycles owned, operated or leased by a person  
27 with a disability or the parent or primary caregiver of a person with  
28 autism.<sup>1</sup>

29 (cf: P.L.2013, c.3, s.3)

30  
31 <sup>1</sup>**[2.] 3.**<sup>1</sup> (New section) a. The Chief Administrator of the  
32 New Jersey Motor Vehicle Commission shall issue, at the expense  
33 of the State of New Jersey, person with autism identification cards  
34 upon the application of a parent or primary caregiver of a person  
35 with autism, and after due investigation of the qualifying status of  
36 the person with autism. The card shall identify the person with  
37 autism and the registration number of the vehicle for which the  
38 parent or primary caregiver of a person with autism has a placard  
39 issued under the provisions of section 3 of P.L.1949, c.280 (C.39:4-  
40 206). The card shall state that the person with autism is a person  
41 with <sup>1</sup>**[a disability]** autism<sup>1</sup> validly qualified hereunder to receive  
42 the card, that the card is for the exclusive use of the person with  
43 autism and the person's parent or primary caregiver to whom it has  
44 been duly issued, is nontransferable <sup>1,1</sup> and shall be forfeited if  
45 presented by any other person. The card also shall state that any  
46 abuse of any privilege, benefit, precedence <sup>1,1</sup> or consideration  
47 granted to any person to whom the card may be issued will be

1 sufficient cause for revocation of the card and the corresponding  
2 windshield placard, and the same may be forfeited or revoked  
3 accordingly, and in the absence of any such forfeiture or revocation  
4 the card shall be valid until the last day of the 36th calendar month  
5 following the calendar month in which that card was issued.

6 b. Every application for the issuance or renewal of a person  
7 with autism identification card shall contain a statement signed by a  
8 physician, physician assistant, or nurse practitioner licensed to  
9 practice in this State or a bordering state or a physician stationed at  
10 a military or naval installation located in this State who is licensed  
11 to practice in any state, certifying that the person with autism is  
12 qualified to meet the definition of “person with an intellectual  
13 disability” pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

14 c. In order to be approved, the application for a person with  
15 autism identification card shall be submitted to the commission not  
16 more than 60 days following the date upon which a physician,  
17 physician assistant, or nurse practitioner certifies that the person  
18 meets the definition of “person with an intellectual disability”  
19 pursuant to section 1 of P.L.1984, c.50 (C.39:4-207.2).

20 d. The application also shall include any additional information  
21 pertinent to the certification which the chief administrator, in the  
22 chief administrator's discretion, may require, including, but not  
23 limited to, the National Provider Identifier or state-issued licensing  
24 number of the physician, physician assistant, or nurse practitioner  
25 who certifies a person’s eligibility pursuant to subsection <sup>1</sup>[c.] b.<sup>1</sup>  
26 of this section.

27

28 <sup>1</sup>[3. (New section) a. The chief administrator also shall issue to  
29 an applicant who is a parent or primary caregiver of a person with  
30 autism a windshield placard, of a size and design as determined by  
31 the chief administrator in consultation with the Division of  
32 Disability Services in the Department of Human Services,  
33 indicating that a person with autism identification card has been  
34 issued to the parent or primary caregiver of the person, as  
35 designated in the application. The windshield placard shall be  
36 displayed in a manner as determined by the chief administrator on  
37 the motor vehicle used to transport the person with autism, when  
38 the vehicle is parked overtime or in special parking places  
39 established for use by persons with disabilities.

40 b. If issued in conjunction with a person with autism  
41 identification card pursuant to section 2 of P.L. , c. (C. )  
42 (pending before the Legislature as this bill), the windshield placard  
43 shall be valid until the last day of the 36th calendar month  
44 following the calendar month in which the placard was issued.

45 If the windshield placard is issued following the date on which  
46 the chief administrator issued the applicant a person with autism  
47 identification card pursuant to section 2 of P.L. , c. (C. )  
48 (pending before the Legislature as this bill), then the windshield

1 placard shall be valid up until the date on which the person with  
2 autism identification card is deemed invalid.

3 Any windshield placard issued by the chief administrator shall  
4 display, in a clearly visible manner, the date on which it shall  
5 become invalid. The placard may be renewed upon application in  
6 accordance with the requirements of P.L. , c. (C. ) (pending  
7 before the Legislature as this bill).

8 Any windshield placard issued prior to the effective date of  
9 P.L. , c. (C. )(pending before the Legislature as this bill) shall  
10 be deemed invalid on the last day of the 36th calendar month  
11 following the calendar month in which such effective date occurs.  
12 The chief administrator may recall any placard deemed invalid  
13 pursuant to this subsection.

14 c. A parent or primary caregiver of a person with autism may  
15 be eligible to be issued a license plate bearing the national  
16 wheelchair symbol, pursuant to subsection a. of section 3 of  
17 P.L.1949, c.280 (C.39:4-206).<sup>1</sup>

18

19 4. This act shall take effect on the first day of the seventh  
20 month next following the date of enactment, but the Chief  
21 Administrator of the New Jersey Motor Vehicle Commission may  
22 take any anticipatory administrative action in advance thereof as  
23 shall be necessary for the implementation of this act.