

ASSEMBLY, No. 3749

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 19, 2016

Sponsored by:

Assemblyman WAYNE P. DEANGELO

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District 6 (Burlington and Camden)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

Assemblymen Benson, Danielsen, Greenwald, Assemblywoman Quijano,

Assemblyman Space, Assemblywomen Pinkin, Tucker, Senators

A.R.Bucco and Cruz-Perez

SYNOPSIS

Allows “100 percent Disabled Veterans” to receive parking privileges reserved for persons with disability.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/23/2017)

1 AN ACT concerning parking for persons with a disability and
2 amending P.L.1949, c.280.

3

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

6

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

9 1. The **[term]** phrase "person with a disability" **[as employed**
10 **herein shall include]** means:

11 a. any person who has lost the use of one or more limbs as a
12 consequence of paralysis, amputation, or other permanent disability
13 or who has a permanent disability as to be unable to ambulate
14 without the aid of an assisting device or whose mobility is
15 otherwise limited as certified by a physician with a plenary license
16 to practice medicine and surgery in this State or a bordering State; a
17 podiatrist licensed to practice in this State or a bordering state; a
18 physician stationed at a military or naval installation located in this
19 State who is licensed to practice in any state; a chiropractic
20 physician licensed to practice in this State or a bordering state; a
21 physician assistant licensed to practice in this State or a bordering
22 state; or a nurse practitioner licensed to practice in this State or a
23 bordering state ; or

24 b. any citizen and resident of this State honorably discharged or
25 released under honorable circumstances from active service in any
26 branch of the Armed Forces of the United States who is adjudicated by
27 the United States Department of Veterans Affairs, or its successor, as
28 being permanently 100 percent disabled.

29 (cf: P.L.2013, c.3, s.1)

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31 2. Section 2 of P.L.1949, c. 280 (C.39:4-205) is amended to read
32 as follows:

33 2. The Chief Administrator of the New Jersey Motor Vehicle
34 Commission shall issue, at the expense of the State of New Jersey,
35 person with a disability identification cards upon the application of
36 qualifying persons with disabilities **[, as heretofore defined,]** and
37 after **[due]** an investigation of the qualifying status of each
38 applicant. **[Said]** The card shall, amongst other things, identify the
39 persons with disabilities and the registration number of the vehicle
40 for which any wheelchair symbol license plates have been issued
41 under the provisions of section 3 of P.L.1949, c.280 (C.39:4-206)
42 and shall state that he is a person with a disability validly qualified
43 **[hereunder]** to receive **[such]** a card, that **[said]** the card is for the
44 exclusive use of the person to whom it has been duly issued, is
45 nontransferable and will be forfeited if presented by any other
46 person, and that any abuse of any privilege, benefit, precedence₂ or

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 consideration granted to any person to whom **【such】** the card may
2 be issued will be sufficient cause for revocation of **【said】** the card,
3 corresponding windshield placard and wheelchair symbol license
4 plates, and the same may be forfeited or revoked accordingly, and
5 in the absence of **【any such】** forfeiture or revocation **【said】** the
6 card shall be valid until the last day of the 36th calendar month
7 following the calendar month in which that card was issued.

8 Every application for the issuance or renewal of a person with a
9 disability identification card shall contain a statement signed by a
10 physician, podiatrist, chiropractic physician, physician assistant, or
11 nurse practitioner licensed to practice in this State or a bordering
12 state or a physician stationed at a military or naval installation
13 located in this State who is licensed to practice in any state,
14 certifying that the applicant's stated disability qualifies the applicant
15 to meet the definition of "person with a disability" pursuant to
16 section 1 of P.L.1949, c.280 (C.39:4-204). A person who qualifies
17 as a veteran with a permanent disability pursuant to subsection b. of
18 section 1 of P.L.1949, c.280 (C.39:4-204) may submit, in lieu of a
19 statement signed by a certified medical professional, an application
20 that contains a statement signed by a representative of the United
21 States Department of Veterans Affairs certifying that the person is
22 permanently 100 percent disabled.

23 In order to be approved, the application for a person with a
24 disability identification card shall be submitted to the commission
25 not more than 60 days following the date upon which a physician,
26 podiatrist, chiropractic physician, physician assistant, **【or】** nurse
27 practitioner , or representative of the United States Department of
28 Veterans Affairs certifies that the applicant meets the definition of
29 "person with a disability" pursuant to section 1 of P.L.1949, c.280
30 (C.39:4-204). The application shall also include any additional
31 information pertinent to the certification which the chief
32 administrator, in the chief administrator's discretion, may require,
33 including, but not limited to, the National Provider Identifier or
34 state-issued licensing number of the physician, podiatrist,
35 chiropractic physician, physician assistant, or nurse practitioner
36 who certifies the applicant's eligibility for a person with a disability
37 identification card.

38 (cf: P.L.2013, c.3, s.2)

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40 3. This act shall take effect on the first day of the seventh month
41 next following enactment, except the chief administrator may take
42 any anticipatory administrative action in advance as shall be
43 necessary for the implementation of this act.

STATEMENT

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This bill permits a military veteran who is designated by the United States Department of Veterans Affairs as a “100 Percent Disabled Veteran” to park a motor vehicle in parking spaces reserved for persons with a disability. Under the bill, military veterans designated as 100 percent disabled are to receive from the Motor Vehicle Commission (MVC) a person with a disability card, hanging placard, and license plates that display a wheel chair insignia.

Current law requires a person with a permanent disability to submit to the MVC an application signed by a medical professional certifying that the person qualifies to receive disability parking privileges. This bill allows a military veteran to submit a statement from the Department of Veterans Affairs certifying that he or she is 100 percent disabled. A military veteran who qualifies as being 100 percent disabled would not be required to submit an application signed by a medical professional.

Under federal law, a veteran rendered permanently disabled by a service-connected injury may receive from the United States Department of Veterans Affairs a 100 percent disability rating, which entitles the veteran to certain unemployment, health care, and educational benefits. The sponsor believes that these veterans should be entitled to park their motor vehicles in parking spaces reserved for persons with a disability without being required to submit a separate certification from a medical professional.