

**ASSEMBLY, No. 715**

---

**STATE OF NEW JERSEY**

**218th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblywoman DIANNE C. GOVE**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman BRIAN E. RUMPF**

**District 9 (Atlantic, Burlington and Ocean)**

**SYNOPSIS**

Exempts disabled veterans from beach buggy permit fees.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** exempting disabled veterans from beach buggy permit  
2       fees, and amending P.L.1955, c.49 and P.L.1983, c.324.

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.1955, c.49 (C.40:61-22.20) is amended to  
8 read as follows:

9       1. a. The governing body of any municipality bordering on the  
10 Atlantic Ocean, tidal water bays or rivers which owns or shall  
11 acquire, by any deed of dedication or otherwise, lands bordering on  
12 the ocean, tidal water bays or rivers, or easement rights therein, for  
13 a place of resort for public health and recreation and for other  
14 public purposes shall have the exclusive control, government and  
15 care thereof and of any boardwalk, bathing and recreational  
16 facilities, safeguards and equipment, now or hereafter constructed  
17 or provided thereon, and may, by ordinance, make and enforce rules  
18 and regulations for the government and policing of such lands,  
19 boardwalk, bathing facilities, safeguards and equipment; provided,  
20 that such power of control, government, care and policing shall not  
21 be construed in any manner to exclude or interfere with the  
22 operation of any State law or authority with respect to such lands,  
23 property and facilities. Any such municipality may, in order to  
24 provide funds to improve, maintain and police the same and to  
25 protect the same from erosion, encroachment and damage by sea or  
26 otherwise, and to provide facilities and safeguards for public  
27 bathing and recreation, including the employment of lifeguards, by  
28 ordinance, make and enforce rules and regulations for the  
29 government, use, maintenance and policing thereof and provide for  
30 the charging and collecting of reasonable fees for the registration of  
31 persons using said lands and bathing facilities, for access to the  
32 beach and bathing and recreational grounds so provided and for the  
33 use of the bathing and recreational facilities, but no such fees shall  
34 be charged or collected from children under the age of 12 years.

35       b. A municipality may by ordinance provide that no fees, or  
36 reduced fees, shall be charged to:

37       (1) persons 65 or more years of age;

38       (2) persons who meet the disability criteria for disability  
39 benefits under Title II of the federal Social Security Act (42 U.S.C.  
40 s.401 et seq.);

41       (3) persons in active military service in any of the Armed Forces  
42 of the United States and to their spouse or dependent children over  
43 the age of 12 years;

44       (4) persons who are active members of the New Jersey National  
45 Guard who have completed Initial Active Duty Training and to their

**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 spouse or dependent children over the age of 12 years. As used in  
2 this paragraph, "Initial Active Duty Training" means Basic Military  
3 Training, for members of the New Jersey Air National Guard, and  
4 Basic Combat Training and Advanced Individual Training, for  
5 members of the New Jersey Army National Guard; and

6 (5) persons who have served in any of the Armed Forces of the  
7 United States and who were discharged or released therefrom under  
8 conditions other than dishonorable and who either have served at  
9 least 90 days in active duty or have been discharged or released  
10 from active duty by reason of a service-incurred injury or disability.  
11 The Adjutant General of the New Jersey Department of Military  
12 and Veterans' Affairs shall promulgate rules and regulations  
13 pertaining to veteran eligibility under this paragraph.

14 c. A municipality providing for no fees or reduced fees  
15 pursuant to paragraph (3), (4), or (5) of subsection b. of this section  
16 shall track, in a manner deemed appropriate by the governing body  
17 of the municipality, the number of persons who qualify under the  
18 provisions of those paragraphs.

19 d. A person who qualifies for free access to beaches and  
20 bathing and recreational grounds and free use of bathing and  
21 recreational facilities pursuant to paragraph (3), (4), or (5) of  
22 subsection b. of this section may, in lieu of obtaining and presenting  
23 a municipal beach tag or similar admission pass to gain such access  
24 and use, present a valid military identification card, form DD-214  
25 or similar document, or State driver's license or identification card  
26 indicating that the holder is a veteran of the Armed Forces of the  
27 United States.

28 e. A municipality that issues a permit to operate a motorized  
29 vehicle on a beach shall not charge a disabled veteran a fee to  
30 obtain, replace, or renew the permit.

31 For purposes of this section, "disabled veteran" means any  
32 resident of the State who has been honorably discharged or released  
33 under honorable circumstances from active service in any branch of  
34 the Armed Forces of the United States and who has been declared  
35 by the United States Department of Veterans Affairs, or its  
36 successor, to have a service-connected disability of any degree.

37 (cf: P.L.2015, c.205, s.1)  
38

39 2. Section 12 of P.L.1983, c.324 (C.13:1L-12) is amended to  
40 read as follows:

41 12. a. The department shall not charge an admission fee for  
42 entrance into a State park or forest by any resident of the State of 62  
43 or more years of age or who is totally disabled or who is an active  
44 member of the New Jersey National Guard who has completed  
45 Initial Active Duty Training. The department shall prescribe by  
46 regulation the types of evidence that may be used to qualify persons  
47 for the benefits of this subsection.

1     b. The department shall not charge a disabled veteran a fee to  
2     obtain, replace, or renew a permit to operate a motorized vehicle on  
3     a State park beach.

4     c. As used in this section[.], :

5     “Disabled veteran” means any resident of the State who has been  
6     honorably discharged or released under honorable circumstances  
7     from active service in any branch of the Armed Forces of the United  
8     States and who has been declared by the United States Department  
9     of Veterans Affairs, or its successor, to have a service-connected  
10    disability of any degree.

11    "Initial Active Duty Training" means Basic Military Training,  
12    for members of the New Jersey Air National Guard, and Basic  
13    Combat Training and Advanced Individual Training, for members  
14    of the New Jersey Army National Guard.

15    (cf: P.L.1993, c.304, s.1)

16  
17    3. This act shall take effect immediately.

18  
19  
20                                   STATEMENT

21  
22    This bill would exempt disabled veterans from fees to obtain a  
23    beach buggy permit.

24    Multiple municipal beaches and State parks permit the operation  
25    of certain motorized vehicles on beach property, provided the owner  
26    of the vehicle first obtains a permit. If a disabled veteran applies  
27    for such a permit and, if all qualifications are met, this bill would  
28    permit the veteran to receive the permit free of cost. The disabled  
29    veteran would also be able to replace or renew the permit free of  
30    cost.

31    State parks and municipal beaches proscribe their own criteria as  
32    to what types of vehicles qualify as a beach buggy; implement  
33    restrictions on dates, times, and locations to operate a beach buggy;  
34    and limit the extent to which a beach buggy may be used (for  
35    instance, only for fishing purposes). A disabled veteran who  
36    obtains a free permit under this bill would still be required to abide  
37    by all applicable State and local regulations. Likewise, nothing in  
38    this bill would permit a disabled veteran who obtains a free permit  
39    to use the beach buggy beyond what is proscribed under State and  
40    local law—for instance, operating a beach buggy in a municipality  
41    that does not permit their operation or failing to obtain a proper  
42    driver’s license or inspection certificate.

43    A disabled veteran is defined in this bill to mean a State resident  
44    who has been honorably discharged from any branch of the United  
45    States Armed Forces and has been declared by the United States  
46    Department of Veterans Affairs as having any degree of service-  
47    connected disability.