

[Third Reprint]

**ASSEMBLY, No. 3683**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED MARCH 13, 2018

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**SYNOPSIS**

Authorizes parking privileges for certain healthcare workers who render care at patients' home residences.

**CURRENT VERSION OF TEXT**

As amended on August 27, 2018 by the General Assembly pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 9/28/2018)

1 AN ACT concerning parking and supplementing Title 39 of the  
2 Revised Statutes.

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

6  
7 1. a. As used in this act:

8 “Health or personal care services” means nursing and other home  
9 health care services rendered at a patient’s place of residence.

10 “Home care service agency” means a home health care agency  
11 licensed pursuant to P.L.1971, c.136 <sup>1</sup>[(C.26:2H-1 et seq.)]  
12 (C.26:2H-1 et al.)<sup>1</sup>, a health care service firm  
13 registered pursuant to <sup>1</sup>[N.J.A.C.13:45B-14.1] <sup>2</sup>[N.J.A.C.14:45B-  
14 13.1<sup>1</sup>] N.J.A.C.13:45B-13.1<sup>2</sup> et seq., or a <sup>1</sup>[Medicare-certified  
15 hospice program] hospice care program licensed pursuant to section  
16 2 of P.L.1997, c.78 (C.26:2H-80)<sup>1</sup>.

17 “Home care service employee” means a nurse, nurse aide,  
18 homemaker-home health aide, <sup>1</sup>[or]<sup>1</sup> personal care assistant <sup>1</sup>,  
19 physical therapist, occupational therapist, speech-language  
20 pathologist, or social worker<sup>1</sup> licensed or certified pursuant to <sup>1</sup>Title  
21 26 or<sup>1</sup> Title 45 of the Revised Statutes or a hospice care worker  
22 <sup>1</sup>employed by a hospice care program<sup>1</sup> licensed pursuant to section  
23 2 of P.L.1997, c.78 (C.26:2H-80) who provides at home health or  
24 personal care services.

25 b. The Chief Administrator of the New Jersey Motor Vehicle  
26 Commission shall issue upon application parking placards to home  
27 care service agencies indicating that a motor vehicle is being  
28 operated by a home care service employee. The placards shall be  
29 distributed by the home care service agencies to their home care  
30 service employees who render health or personal care services. A  
31 home care service agency applying for the placards shall submit to  
32 the commission a copy of the agency’s license or <sup>3</sup>[other  
33 credentials]<sup>3</sup> issued by the Department of Health or <sup>3</sup>registered with  
34 the<sup>3</sup> Division of Consumer Affairs in the Department of Law and  
35 Public Safety. The commission shall take action within 30 days of  
36 receiving the application.

37 c. <sup>3</sup>[The] In order to receive the benefits set forth in this  
38 subsection, as applicable, the<sup>3</sup> placard shall be displayed on a motor  
39 vehicle operated by a home care service employee when <sup>3</sup>the  
40 vehicle is parked while the employee is<sup>3</sup> rendering health or  
41 personal care services <sup>3</sup>[and] or<sup>3</sup> while <sup>3</sup>the employee is<sup>3</sup> traveling  
42 to render health or personal care services. <sup>3</sup>[The] When displayed

**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>Assembly ATR committee amendments adopted May 10, 2018.

<sup>2</sup>Senate STR committee amendments adopted June 11, 2018.

<sup>3</sup>Assembly amendments adopted in accordance with Governor's recommendations August 27, 2018.

1 as authorized pursuant to this subsection, the<sup>3</sup> placard shall entitle  
2 the 'home care service'<sup>1</sup> employee:

3 (1) to park the motor vehicle in on-street areas that are generally  
4 reserved for municipal residents, municipal parking lots, and  
5 college and university parking lots;

6 (2) to park overnight in on-street areas that are generally  
7 reserved for municipal residents, municipal parking lots, and  
8 college and university parking lots when overnight parking is  
9 prohibited;

10 (3) to travel on roads which are designated by a municipality as  
11 being reserved for municipal residents during certain times when  
12 traffic volume is high; and

13 (4) to park overtime at metered parking <sup>3</sup>["when rendering health  
14 or personal care services"] for up to 24 hours in one location with no  
15 penalty imposed<sup>3</sup>.

16 d. A home care service agency shall be entitled to receive a  
17 parking placard for each home care service employee employed by  
18 the agency. The parking placards shall be valid for <sup>3</sup>["one year"] two  
19 years<sup>3</sup> from the date of issuance and may be renewed  
20 <sup>3</sup>["indefinitely"] biannually<sup>3</sup> provided that the home care service  
21 agency continues to provide health or personal care services. The  
22 commission may impose on each home care service agency a <sup>3</sup>["one-  
23 time registration"]<sup>3</sup> fee of 'not more than' \$50 '[or less]' for each  
24 parking placard <sup>3</sup>["issued. A home care service agency shall not be  
25 required to pay a fee when renewing the placards.] application and  
26 a renewal fee of not more than \$20 for each parking placard  
27 renewal. Each placard or renewal shall be valid until the last day of  
28 the 24<sup>th</sup> calendar month following the calendar month in which that  
29 placard or renewal was issued.<sup>3</sup>

30 e. A parking placard shall display a unique identifying number  
31 that shall be recorded by the commission and maintained in a  
32 central registry. A home care service employee who receives a  
33 placard shall submit to the home care service agency a copy of the  
34 employee's driver's license. The home care service agency shall  
35 use the identifying numbers and employee driver's license numbers  
36 <sup>3</sup>and names<sup>3</sup> to maintain a record of placards assigned to the  
37 agency's home care service employees <sup>3</sup>["which shall be made  
38 available"] , and shall provide those identifying number and  
39 employee driver's license numbers and names<sup>3</sup> to the commission  
40 <sup>3</sup>["for inspection upon request"]<sup>3</sup>.

41 f. A home care service employee shall return the placard to the  
42 home care service agency upon termination of employment as a  
43 home care service employee <sup>3</sup>at that agency<sup>3</sup>. A home care service  
44 agency shall report to the commission <sup>3</sup>, within 30 days, that an  
45 employee who has been assigned a placard is no longer employed  
46 by the agency and<sup>3</sup> if an employee fails to return the placard upon  
47 termination of employment. <sup>3</sup>A home care service agency shall be

1 subject to a fine of \$100 to be imposed by the commission for any  
2 failure to timely report to the commission the failure of a terminated  
3 employee to timely return the placard to the agency as required by  
4 this subsection.<sup>3</sup> A home care service employee who fails to return  
5 the placard within 30 days of termination of employment shall be  
6 <sup>2</sup>**[fined \$100]** subject to a fine of \$100 to be imposed<sup>2</sup> by the  
7 commission.

8 g. A person who uses a placard to receive parking privileges  
9 established pursuant to this section other than when <sup>3</sup>the vehicle is  
10 parked while a health care services employee is<sup>3</sup> rendering health or  
11 personal care services at a patient's place of residence <sup>3</sup>or to travel  
12 on roads which are designated by a municipality as being reserved  
13 for municipal residents during certain times when traffic volume is  
14 high when the vehicle is not being used by a home care service  
15 employee for traveling to render health or personal care services<sup>3</sup>  
16 shall be subject to a <sup>2</sup>**[\$100]**<sup>2</sup> fine <sup>2</sup>of \$250 for the first offense and  
17 a fine of \$250 and up to 90 days of community service, on such  
18 terms and in such a form as the court shall deem appropriate, for  
19 each subsequent offense<sup>2</sup>. <sup>3</sup>The placard shall not be transferable  
20 from one home care service agency to another, nor between  
21 employees of a home care service agency. Each placard is for the  
22 exclusive use of the person to whom it has been issued, is  
23 nontransferable to, and will be forfeited if presented by, any other  
24 person. Abuse of any privilege, benefit, use or consideration  
25 granted to any person to whom a placard is issued shall be sufficient  
26 cause for revocation of the placard, and shall subject the employee  
27 to all other penalties in P.L. , c. (C. ) (pending before the  
28 Legislature as this bill).<sup>3</sup>

29 h. The chief administrator shall notify the Attorney General,  
30 who shall, in turn, notify the appropriate law enforcement agencies  
31 of the placard established pursuant to this section.

32 i. The chief administrator may establish regulations necessary  
33 to effectuate the purposes of <sup>2</sup>**[this act]** P.L. , c. (C. )  
34 (pending before the Legislature as this bill)<sup>2</sup>.

35 <sup>3</sup>j. Any person who submits a false statement or provides false  
36 information on an application to obtain or facilitate the receipt of a  
37 placard, or the misuse of a placard pursuant to P.L. , c. (C. )  
38 (pending before the Legislature as this bill) shall be subject to a fine  
39 of not more than \$1,000, which may be assessed by the  
40 commission. Nothing in this subsection shall be construed in any  
41 way to preclude or limit the prosecution or conviction of any person  
42 for falsifying or tampering with records under N.J.S.2C:21-4 or for  
43 any other crime or offense.<sup>3</sup>

44  
45 2. This act shall take effect on the first day of the <sup>2</sup>**[eighth]**  
46 19th<sup>2</sup> month after enactment, except the chief administrator may  
47 take anticipatory administrative action in advance thereof as shall  
48 be necessary for the implementation of this act.