

P.L. 2018, CHAPTER 124, *approved October 4, 2018*
Assembly, No. 3683 (*Third Reprint*)

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 ¹[(C.26:2H-1 et seq.)]
12 (C.26:2H-1 et al.)¹, a health care service firm
13 registered pursuant to ¹[N.J.A.C.13:45B-14.1] ²[N.J.A.C.14:45B-
14 13.1¹] N.J.A.C.13:45B-13.1² et seq., or a ¹[Medicare-certified
15 hospice program] hospice care program licensed pursuant to section
16 2 of P.L.1997, c.78 (C.26:2H-80)¹.

17 “Home care service employee” means a nurse, nurse aide,
18 homemaker-home health aide, ¹[or]¹ personal care assistant ¹,
19 physical therapist, occupational therapist, speech-language
20 pathologist, or social worker¹ licensed or certified pursuant to ¹Title
21 26 or¹ Title 45 of the Revised Statutes or a hospice care worker
22 employed by a hospice care program¹ 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 ³[other
33 credentials]³ issued by the Department of Health or ³registered with
34 the³ 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.

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:

¹Assembly ATR committee amendments adopted May 10, 2018.

²Senate STR committee amendments adopted June 11, 2018.

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

1 c. ³~~【The】~~ In order to receive the benefits set forth in this
2 subsection, as applicable, the³ placard shall be displayed on a motor
3 vehicle operated by a home care service employee when ³the
4 vehicle is parked while the employee is³ rendering health or
5 personal care services ³~~【and】 or³ while ³the employee is³ traveling~~
6 to render health or personal care services. ³~~【The】~~ When displayed
7 as authorized pursuant to this subsection, the³ placard shall entitle
8 the ¹home care service¹ employee:

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

12 (2) to park overnight in on-street areas that are generally
13 reserved for municipal residents, municipal parking lots, and
14 college and university parking lots when overnight parking is
15 prohibited;

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

19 (4) to park overtime at metered parking ³~~【when rendering health~~
20 or personal care services】 for up to 24 hours in one location with no
21 penalty imposed³.

22 d. A home care service agency shall be entitled to receive a
23 parking placard for each home care service employee employed by
24 the agency. The parking placards shall be valid for ³~~【one year】~~ two
25 years³ from the date of issuance and may be renewed
26 ³~~【indefinitely】~~ biannually³ provided that the home care service
27 agency continues to provide health or personal care services. The
28 commission may impose on each home care service agency a ³~~【one-~~
29 time registration】³ fee of ¹not more than¹ \$50 ¹~~【or less】¹~~ for each
30 parking placard ³~~【issued.~~ A home care service agency shall not be
31 required to pay a fee when renewing the placards. ~~】~~ application and
32 a renewal fee of not more than \$20 for each parking placard
33 renewal. Each placard or renewal shall be valid until the last day of
34 the 24th calendar month following the calendar month in which that
35 placard or renewal was issued.³

36 e. A parking placard shall display a unique identifying number
37 that shall be recorded by the commission and maintained in a
38 central registry. A home care service employee who receives a
39 placard shall submit to the home care service agency a copy of the
40 employee's driver's license. The home care service agency shall
41 use the identifying numbers and employee driver's license numbers
42 ³~~and names³~~ to maintain a record of placards assigned to the
43 agency's home care service employees ³~~【which shall be made~~
44 available】 , and shall provide those identifying number and
45 employee driver's license numbers and names³ to the commission
46 ³~~【for inspection upon request】³.~~

1 f. A home care service employee shall return the placard to the
2 home care service agency upon termination of employment as a
3 home care service employee ³at that agency³. A home care service
4 agency shall report to the commission ³, within 30 days, that an
5 employee who has been assigned a placard is no longer employed
6 by the agency and³ if an employee fails to return the placard upon
7 termination of employment. ³A home care service agency shall be
8 subject to a fine of \$100 to be imposed by the commission for any
9 failure to timely report to the commission the failure of a terminated
10 employee to timely return the placard to the agency as required by
11 this subsection.³ A home care service employee who fails to return
12 the placard within 30 days of termination of employment shall be
13 ²fined \$100 ²subject to a fine of \$100 to be imposed² by the
14 commission.

15 g. A person who uses a placard to receive parking privileges
16 established pursuant to this section other than when ³the vehicle is
17 parked while a health care services employee is³ rendering health or
18 personal care services at a patient's place of residence ³or to travel
19 on roads which are designated by a municipality as being reserved
20 for municipal residents during certain times when traffic volume is
21 high when the vehicle is not being used by a home care service
22 employee for traveling to render health or personal care services³
23 shall be subject to a ²fined \$100² fine ²of \$250 for the first offense and
24 a fine of \$250 and up to 90 days of community service, on such
25 terms and in such a form as the court shall deem appropriate, for
26 each subsequent offense². ³The placard shall not be transferable
27 from one home care service agency to another, nor between
28 employees of a home care service agency. Each placard is for the
29 exclusive use of the person to whom it has been issued, is
30 nontransferable to, and will be forfeited if presented by, any other
31 person. Abuse of any privilege, benefit, use or consideration
32 granted to any person to whom a placard is issued shall be sufficient
33 cause for revocation of the placard, and shall subject the employee
34 to all other penalties in P.L. , c. (C.) (pending before the
35 Legislature as this bill).³

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

39 i. The chief administrator may establish regulations necessary
40 to effectuate the purposes of ²this act P.L. , c. (C.)
41 (pending before the Legislature as this bill)².

42 ³j. Any person who submits a false statement or provides false
43 information on an application to obtain or facilitate the receipt of a
44 placard, or the misuse of a placard pursuant to P.L. , c. (C.)
45 (pending before the Legislature as this bill) shall be subject to a fine
46 of not more than \$1,000, which may be assessed by the
47 commission. Nothing in this subsection shall be construed in any
48 way to preclude or limit the prosecution or conviction of any person

1 for falsifying or tampering with records under N.J.S.2C:21-4 or for
2 any other crime or offense.³

3

4 2. This act shall take effect on the first day of the ²**[eighth]**
5 19th² month after enactment, except the chief administrator may
6 take anticipatory administrative action in advance thereof as shall
7 be necessary for the implementation of this act.

8

9

10

11

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