

SENATE, No. 3705

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Prohibits person from leaving shopping cart in handicap parking space; imposes fine.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning handicap parking spaces, supplementing Title
2 39 of the Revised Statutes, and amending R.S.39:4-198.

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

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7 1. a. (New section) A person shall not place a shopping cart in
8 a parking space which, pursuant to R.S.39:4-197, has been
9 designated as a restricted space for use by persons with disabilities
10 who have been issued special vehicle identification cards by the
11 New Jersey Motor Vehicle Commission pursuant to the provisions
12 of P.L.1949, c.280 (C.39:4-204 et seq.) and section 1 of P.L.1977,
13 c.202 (C.39:4-197.5).

14 b. Any person who places a shopping cart in a restricted
15 parking space in violation of subsection a. of this section shall be
16 liable to a fine of \$250.

17 c. As used in this section, "shopping cart" means those push
18 carts of the type or types which are commonly provided by grocery
19 stores, drug stores, or other retail mercantile establishments for the
20 use of the public in transporting commodities in stores and markets
21 and, incidentally, from the stores to a place outside the store.

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23 2. R.S.39:4-198 is amended to read as follows:

24 39:4-198. No ordinance, resolution or regulation enacted,
25 passed, or adopted by local authorities nor any regulation adopted
26 by the Commissioner of Transportation under any power given by
27 this chapter or any supplement thereto shall be effective unless due
28 notice thereof is given to the public by placing a sign at the places
29 where the ordinance, resolution, or regulation is effective, and by
30 briefing its provisions on signs according to specifications
31 contained in this chapter or as specified by the current Manual on
32 Uniform Traffic Control Devices for streets and highways. These
33 signs shall be so placed as to be easily read by pedestrians or
34 operators of vehicles. Except, in the case of "No Passing" zones, in
35 lieu of or in addition to signs, notice shall be given to the public by
36 highway pavement markings which conform to the current Manual
37 on Uniform Traffic Control Devices for streets and highways.

38 In addition to the specifications in the Manual on Uniform
39 Traffic Control Devices, any sign erected after the effective date of
40 P.L.1989, c.201 to notify the public that parking in a space is
41 reserved for persons with disabilities **[shall]** also shall state the
42 penalties set forth in paragraph c. of subsection (3) of R.S.39:4-197
43 which may be imposed for a violation. In addition, any sign erected
44 after the effective date of P.L. , c. (C.) (pending before the
45 Legislature as this bill) to notify the public that parking in a space is

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.

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1 reserved for persons with disabilities shall also state the penalties
2 for placing a shopping cart in a reserved space pursuant to
3 P.L. , c. (C.) (pending before the legislature as this bill).
4 Signs which were erected prior to the effective **[date]** dates shall be
5 modified within 12 months after the effective **[date]** dates to
6 include the penalty information for parking in a reserved space and
7 for placing a shopping cart in a reserved space.

8 It shall not be a defense to the unauthorized use of a parking
9 space reserved for persons with disabilities pursuant to R.S.39:4-
10 138 that the penalties set forth in paragraph c. of subsection (3) of
11 R.S.39:4-197 were not posted or were improperly posted.

12 As used in this section, "shopping cart" shall have the same
13 meaning as set forth in section 1 of P.L. , c. (C.) (pending
14 before the Legislature as this bill).
15 (cf: P.L.2017, c.131, s.165)

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17 3. This act shall take effect immediately.

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STATEMENT

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22 This bill prohibits a person from leaving a shopping cart in a
23 handicap parking space and imposes a fine.

24 Specifically, under the provisions of this bill, a person is
25 prohibited from placing a shopping cart in a parking space which
26 has been designated as a restricted space for use by persons who
27 have been issued special vehicle identification cards by the New
28 Jersey Motor Vehicle Commission. Under the bill, any person who
29 violates this provision is liable to a fine of \$250.

30 In addition, the bill provides that any sign erected after the bill's
31 effective date to notify the public that parking in a space is reserved
32 for persons with disabilities is also required to state the penalties for
33 placing a shopping cart in a reserved space pursuant to the bill's
34 provisions. The bill requires signs that were erected prior to the
35 effective date to be modified within 12 months to include the
36 penalty information for placing a shopping cart in a handicap
37 parking space.