

ASSEMBLY, No. 1855

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Assemblymen ROMANO, ARNONE, Garcia, Charles,  
Doria, Impeveduto and Assemblywoman Quigley

1 AN ACT concerning the issuance of driveway parking permits by  
2 counties and amending P.L.1991, c.297.

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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. Section 1 of P.L.1991, c.297 (C.39:4-138.3) is amended to read  
8 as follows:

9 1. Notwithstanding the provisions of R.S.39:4-138 to the contrary,  
10 any municipality or county may, by ordinance or resolution, as  
11 appropriate, permit the parking of motor vehicles in front of private  
12 driveways along municipal or county roads, streets and highways,  
13 respectively controlled by that jurisdiction, whenever both the motor  
14 vehicle and driveway involved are owned by the same person,  
15 whenever the motor vehicle is owned by a member of the same  
16 household as the owner of the private driveway, or whenever the  
17 owner of the private driveway authorizes the parking of a motor  
18 vehicle in front of the private driveway; and where such parking is not  
19 otherwise prohibited and the permitting thereof would not interfere  
20 with the normal flow of traffic.

21 (cf: P.L.1991, c.297, s.1)

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23 2. Section 2 of P.L.1991, c.297 (C.39:4-138.4) is amended to read  
24 as follows:

25 2. Any municipality or county enacting an ordinance or resolution,  
26 as appropriate, pursuant to section 1 of **[this act]** P.L.1991, c.297  
27 (C.39:4-138.3) shall provide for the issuance of permits which  
28 authorize the parking of motor vehicles in front of private driveways  
29 and identify the location of the driveway in front of which the parking  
30 of a motor vehicle is permitted. The permits shall be issued to owners  
31 of private driveways and to members of the same household as the  
32 owner of a private driveway provided that a completed application for  
33 a permit has been filed as required by the municipality or county.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 An owner of a private driveway shall be eligible to apply for up to  
2 three permits for his own motor vehicles or for use by other parties  
3 authorized by the owner to park in front of the private driveway. Each  
4 member of the owner's household who owns a motor vehicle shall also  
5 be eligible to apply for a permit issued under this section. The permit  
6 shall be 5 1/2 inches by 8 1/2 inches in size, shall bear an appropriate  
7 certification of authenticity and shall be displayed prominently within  
8 the vehicle when it is parked so as to be seen from the middle of the  
9 street.

10 (cf: P.L.1991, c.297, s.2)

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12 3. Section 3 of P.L.1991, c.297 (C.39:4-138.5) is amended to read  
13 as follows:

14 3. A motor vehicle shall not be permitted to be parked in front of  
15 a private driveway unless the owner of the private driveway or a  
16 member of the owner's household has been issued a valid permit and  
17 the permit is properly displayed, or unless the owner has authorized  
18 another party to use and display the owner's permit for parking in front  
19 of the private driveway, and the permit is valid and properly displayed.  
20 A municipality or county may, by ordinance or resolution, as  
21 appropriate, establish a fee for these permits.

22 (cf: P.L.1991, c.297, s.3)

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24 4. This act shall take effect immediately.

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#### STATEMENT

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29 This bill permits counties to issue permits for homeowners to park  
30 in front of their own driveways when those driveways feed onto a  
31 county street, road or highway. Under current law only a municipality  
32 may issue such parking permits which are only effective for driveways  
33 along streets or roads under the jurisdiction of the municipality.

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39 Authorizes counties to issue driveway parking permits along county  
roads, streets and highways.