

CHAPTER 161

AN ACT increasing the fine for parking in a restricted parking space and amending R.S.39:4-197.

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

1. R.S.39:4-197 is amended to read as follows:

Ordinance or resolution on matters covered by chapter.

39:4-197. Except as otherwise provided in R.S.39:4-8, no municipality shall pass an ordinance or resolution on a matter covered by or which alters or in any way nullifies the provisions of this chapter or any supplement to this chapter; except that a municipality may pass ordinances or resolutions, or by ordinances or resolutions may authorize the adoption of regulations by the board, body or official having control of traffic in the public streets, regulating special conditions existent in the municipality on the subjects and within the limitations following:

- (1) Ordinance.
 - a. Altering speed limitations as provided in R.S.39:4-98;
 - b. Limiting use of streets to certain class of vehicles;
 - c. Designating one-way streets;
 - d. Regulating the stopping or starting of street cars at special places, such as railroad stations, public squares or in front of certain public buildings;
 - e. Regulating the passage or stopping of traffic at certain congested street corners or other designated points;
 - f. Regulating the parking of vehicles on streets and portions thereof, including angle parking as provided in R.S.39:4-135;
 - g. Regulating the parking of vehicles upon land owned or leased and maintained by the municipality, a parking authority or the board of education of a school district, including any lands devoted to the public parking of vehicles, the entrances thereto and exits therefrom;
 - h. Regulating the entrances to and exits from parking yards and parking places which are open to the public or to which the public is invited, except that this shall not apply to entrances or exits to and from State highways;
 - i. Designating streets or roads upon which buses and trucks over four tons gross weight may be required not to exceed specially fixed limits based on engineering and traffic investigation and to use a lower gear in descending steep declivities having a grade in excess of 5% fixing such special speed limits and providing for the use of such a gear thereon.
- (2) Ordinance or resolution.
 - a. Designating through streets, as provided in article 17 of this chapter (R.S.39:4-140 et seq.);
 - b. Designating and providing for the maintenance as "no passing" zones of portions of highway where overtaking and passing or driving to the left of the roadway is deemed especially hazardous.
- (3) Ordinance, resolution or regulation.
 - a. Designating stops, stations or stands for omnibuses and taxis;
 - b. Designating curb loading zones;
 - c. Designating restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles pursuant to the provisions of P.L.1949, c.280 (C.39:4-204 et seq.) and section 1 of P.L.1977, c.202 (C.39:4-197.5). Any person parking a motor vehicle in a restricted parking space without a special vehicle identification card shall be liable to a fine of \$250 for the first offense and, for subsequent offenses, a fine of at least \$250 and up to 90 days' community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

2. This act shall take effect on the first day of the second month after enactment.

Approved August 22, 2003.