

CHAPTER 124

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

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

C.39:4-207.11 Definitions; issuance of parking placards; benefits; fees.

1. a. As used in this act:

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

“Home care service agency” means a home health care agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et al.), a health care service firm registered pursuant to N.J.A.C.13:45B-13.1 et seq., or a hospice care program licensed pursuant to section 2 of P.L.1997, c.78 (C.26:2H-80).

“Home care service employee” means a nurse, nurse aide, homemaker-home health aide, personal care assistant, physical therapist, occupational therapist, speech-language pathologist, or social worker licensed or certified pursuant to Title 26 or Title 45 of the Revised Statutes or a hospice care worker employed by a hospice care program licensed pursuant to section 2 of P.L.1997, c.78 (C.26:2H-80) who provides at home health or personal care services.

b. The Chief Administrator of the New Jersey Motor Vehicle Commission shall issue upon application parking placards to home care service agencies indicating that a motor vehicle is being operated by a home care service employee. The placards shall be distributed by the home care service agencies to their home care service employees who render health or personal care services. A home care service agency applying for the placards shall submit to the commission a copy of the agency’s license or issued by the Department of Health or registered with the Division of Consumer Affairs in the Department of Law and Public Safety. The commission shall take action within 30 days of receiving the application.

c. In order to receive the benefits set forth in this subsection, as applicable, the placard shall be displayed on a motor vehicle operated by a home care service employee when the vehicle is parked while the employee is rendering health or personal care services or while the employee is traveling to render health or personal care services. When displayed as authorized pursuant to this subsection, the placard shall entitle the home care service employee:

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

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

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

(4) to park overtime at metered parking for up to 24 hours in one location with no penalty imposed.

d. A home care service agency shall be entitled to receive a parking placard for each home care service employee employed by the agency. The parking placards shall be valid for two years from the date of issuance and may be renewed biannually provided that the home care service agency continues to provide health or personal care services. The commission may impose on each home care service agency a fee of not more than \$50 for each parking placard application and a renewal fee of not more than \$20 for each parking placard renewal. Each placard or renewal shall be valid until the last day of the 24th calendar month following the calendar month in which that placard or renewal was issued.

e. A parking placard shall display a unique identifying number that shall be recorded by the commission and maintained in a central registry. A home care service employee who receives a placard shall submit to the home care service agency a copy of the employee's driver's license. The home care service agency shall use the identifying numbers and employee driver's license numbers and names to maintain a record of placards assigned to the agency's home care service employees, and shall provide those identifying numbers and employee driver's license numbers and names to the commission.

f. A home care service employee shall return the placard to the home care service agency upon termination of employment as a home care service employee at that agency. A home care service agency shall report to the commission, within 30 days, that an employee who has been assigned a placard is no longer employed by the agency and if an employee fails to return the placard upon termination of employment. A home care service agency shall be subject to a fine of \$100 to be imposed by the commission for any failure to timely report to the commission the failure of a terminated employee to timely return the placard to the agency as required by this subsection. A home care service employee who fails to return the placard within 30 days of termination of employment shall be subject to a fine of \$100 to be imposed by the commission.

g. A person who uses a placard to receive parking privileges established pursuant to this section other than when the vehicle is parked while a health care services employee is rendering health or personal care services at a patient's place of residence or to travel on roads which are designated by a municipality as being reserved for municipal residents during certain times when traffic volume is high when the vehicle is not being used by a home care service employee for traveling to render health or personal care services shall be subject to a fine of \$250 for the first offense and a fine of \$250 and up to 90 days of community service, on such terms and in such a form as the court shall deem appropriate, for each subsequent offense. The placard shall not be transferable from one home care service agency to another, nor between employees of a home care service agency. Each placard is for the exclusive use of the person to whom it has been issued, is nontransferable to, and will be forfeited if presented by, any other person. Abuse of any privilege, benefit, use or consideration granted to any person to whom a placard is issued shall be sufficient cause for revocation of the placard, and shall subject the employee to all other penalties in P.L.2018, c.124 (C.39:4-207.11).

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

i. The chief administrator may establish regulations necessary to effectuate the purposes of P.L.2018, c.124 (C.39:4-207.11).

j. Any person who submits a false statement or provides false information on an application to obtain or facilitate the receipt of a placard, or the misuse of a placard pursuant to P.L.2018, c.124 (C.39:4-207.11) shall be subject to a fine of not more than \$1,000, which may be assessed by the commission. Nothing in this subsection shall be construed in any way to preclude or limit the prosecution or conviction of any person for falsifying or tampering with records under N.J.S.2C:21-4 or for any other crime or offense.

2. This act shall take effect on the first day of the 19th month after enactment, except the chief administrator may take anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved October 4, 2018.