

SENATE, No. 1082

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 14, 2008

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman RUBEN J. RAMOS, JR.

District 33 (Hudson)

Assemblywoman CARIDAD RODRIGUEZ

District 33 (Hudson)

Co-Sponsored by:

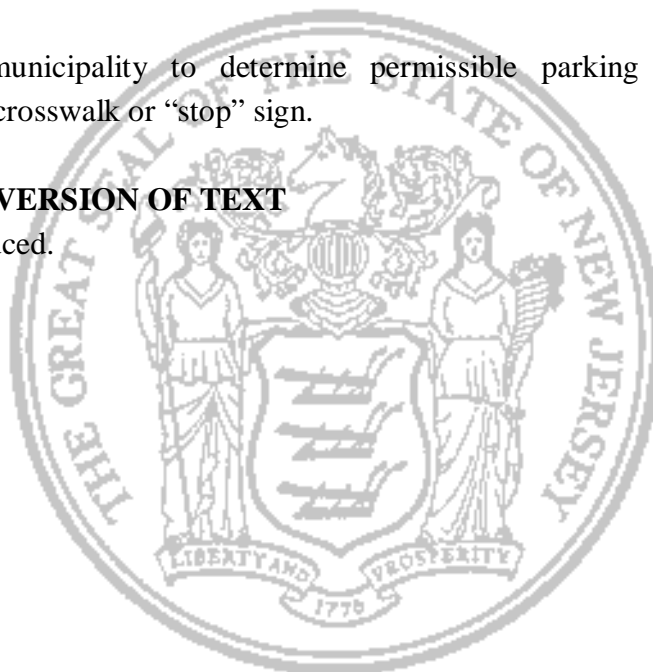
**Senator Sacco, Assemblymen Wolfe, Holzapfel, Diegnan, Giblin, Rumana,
Assemblywoman Evans and Assemblyman Chivukula**

SYNOPSIS

Permits municipality to determine permissible parking distance from intersection, crosswalk or “stop” sign.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning parking, amending R.S.39:4-138 and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6

7 1. R.S.39:4-138 is amended to read as follows:

8 39:4-138. Except when necessary to avoid conflict with other
9 traffic or in compliance with the directions of a traffic or police
10 officer or traffic sign or signal, no operator of a vehicle shall stand
11 or park the vehicle in any of the following places:

12 a. Within an intersection;

13 b. On a crosswalk;

14 c. Between a safety zone and the adjacent curb or within at least
15 20 feet of a point on the curb immediately opposite the end of a
16 safety zone;

17 d. In front of a public or private driveway;

18 e. Within 25 feet of the nearest crosswalk or side line of a street
19 or intersecting highway, except at alleys and as provided in section
20 2 of P.L. ,c. (C.) (pending before the Legislature as this
21 bill.);

22 f. On a sidewalk;

23 g. In any appropriately marked "No Parking" space established
24 pursuant to the duly promulgated regulations of the Commissioner
25 of Transportation;

26 h. Within 50 feet of a "stop" sign except as provided in section 2
27 of P.L. ,c. (C.) (pending before the Legislature as this
28 bill.);

29 i. Within 10 feet of a fire hydrant;

30 j. Within 50 feet of the nearest rail of a railroad crossing;

31 k. Within 20 feet of the driveway entrance to any fire station and
32 on the side of a street opposite the entrance to any fire station
33 within 75 feet of said entrance, when properly signposted;

34 l. Alongside or opposite any street excavation or obstruction
35 when stopping, standing, or parking would obstruct traffic, when
36 properly signposted;

37 m. On the roadway side of any vehicle stopped or parked at the
38 edge or curb of a street;

39 n. Upon any bridge or other elevated structure upon a highway,
40 or within a highway tunnel or underpass, or on the immediate
41 approaches thereto except where space for parking is provided;

42 o. In any space on public or private property appropriately
43 marked for vehicles for the physically handicapped pursuant to
44 P.L.1977, c.202 (C.39:4-197.5), P.L.1975, c.217 (C.52:27D-119 et
45 seq.) or any other applicable law unless the vehicle is authorized by

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.

1 law to be parked therein and a handicapped person is either the
2 driver or a passenger in that vehicle. State, county or municipal law
3 enforcement officers or parking enforcement authority officers shall
4 enforce the parking restrictions on spaces appropriately marked for
5 vehicles for the physically handicapped on both public and private
6 property.

7 No person shall move a vehicle not lawfully under his control
8 into any such prohibited area or away from a curb such distance as
9 is unlawful.

10 (cf: P.L.1989, c.201, s.1)

11

12 2. (New section) A municipality may mandate by ordinance the
13 permissible distance a person may park a motor vehicle from a
14 crosswalk, side line of a street or intersecting highway, or "stop"
15 sign. A municipality may not, however, permit parking within 25
16 feet of a crosswalk or side line of a street or intersecting highway or
17 within 50 feet of a "stop" sign in a school zone during hours when
18 school is in session.

19

20 3. This act shall take effect on the first day of the third month
21 following enactment.

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23

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STATEMENT

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26 This bill gives municipalities the authority to set certain
27 permissible parking distances. Under current law, a person is
28 required to leave 25 feet between their motor vehicle and a
29 crosswalk or the side line of a street or intersecting highway. A
30 person is required to leave 50 feet between their motor vehicle and
31 a "stop" sign. The bill would allow a municipality to change these
32 distances by ordinance; however, under the terms of the bill, a
33 municipality would not be able to change permissible parking
34 distances in school zones when school is in session. The purpose of
35 this bill is to address parking shortages.