

**PARKING THERE FOR "JUST A MINUTE..."
is 60 SECONDS TOO LONG!**

Never park in a space "reserved" for people with disabilities **UNLESS** you have a person with a disability ID Card and identifying placard/plates. It's the courteous thing to do - - and it's the law.

REMEMBER: Do not park in the striped access aisles next to spaces reserved for people with disabilities, even if you have a permit or plates. The access aisles provide room for wheelchair users to transfer safely to and from their vehicles.

Third Edition, July 2013

This publication is designed as a resource only;
it is not a substitute for the law or statutes
related to accessible parking.

State of New Jersey
Chris Christie, Governor
Kim Guadagno, Lt. Governor

Department of Human Services
Jennifer Velez, Commissioner

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NEW JERSEY



GUIDE TO ACCESSIBLE PARKING



Produced by the DHS Office of Publications 7/2013

Editors Note: Although NJ Law uses the term “Handicapped” parking, the word “Handicapped” has been changed to “Accessible” throughout this guide to reflect person first language.

Reserved parking for people with disabilities ensures safe and equal access to goods and services. Accessible Parking makes it possible for individuals with a disability to use and benefit from the services offered by public and private entities.

Accessible parking requirements in New Jersey are a combination of New Jersey Statutes and Americans with Disabilities Act (ADA) Standards for Accessible Design. This guide has been updated to reflect the revised NJ parking statutes (effective August 1, 2013)** and the most current revisions to both Titles II and III of the ADA standards (Published September 15, 2010)*.

HIGHLIGHTS OF ACCESSIBLE PARKING IN NEW JERSEY

NJ Statutes outline the following:

- Every application for the issuance or renewal of a “person with a disability identification card” (see Fig. 1), required every three years, must include medical certification from a qualified practitioner that the qualifying disability continues to exist. (C.39:4-205)**
- The “Person with a Disability Identification Card” must be in the vehicle or with the qualified person at all times as proof of disability. This card is for the sole use of the individual with a disability and is non—transferable. Abuse or misuse of this privilege will be cause for immediate revocation of the ID card, placard and plates and fines of at least \$250.00. (C.39:4-205)
- Permanent Placards (see Fig. 2) are required to be renewed every three years and will clearly display the date on which they shall become invalid. (C.39:4-206)**



* identifies revisions to ADA standards ** identifies revisions to NJ Statutes

- Temporary Placards (see Fig. 3) can be granted for short-term mobility impairments. Written medical certification from a qualified practitioner is required. Temporary Placards are valid for six months, are renewable one time at the discretion of the issuing authority, and are issued by the chief of Police of each municipality. (C.39:4-206)
- Parking motor vehicles in accessible spaces without special vehicle identification is prohibited and punishable with an initial fine of \$250 and subsequent fines of at least \$250 and up to 90 days of community service. (C.39:4-197(3)c)
- Municipalities may establish accessible spaces in front of residences, schools, hospitals, public buildings, and in shopping and business districts. (C.39:4-197.5)
- Municipalities may establish accessible parking zones in front of residences occupied by people with disabilities, unless such parking interferes with the normal flow of traffic. (C.39:4-197.6)
- Law enforcement officers may enforce accessible parking laws on both public and private property. (C.39:4-138.o)
- Municipalities may set up parking enforcement units that concentrate on shopping centers and malls. (C.39:4-197.9)
- Eligible individuals with a disability may request law enforcement officers to arrange for the removal and storage of motor vehicles unlawfully parked in accessible parking spaces or zones. (C.39:4-207.7)
- Access to parking spaces, curb cuts, or other improvements designed to provide accessibility, shall be unobstructed. Owners or controllers of public parking areas must remove snow or ice from these areas within 24 hours after the weather condition causing the snow and/or ice ceases. Violation of this act is punishable with penalties of \$500 to \$1,000. (C.39:4-207.9)**

- No penalty shall be imposed on “eligible persons with a disability” for overtime parking in one location for up to 24 hours, as long as the person with the disability is either the driver or passenger of the vehicle. (C.39:4-207)

(Note: metered parking is delegated to local municipalities by N.J.S.A. 39:4-197; The 24 hour limit is set forth in N.J.S.A. 39:4-207)

ADA Standards Outline the following:

- Accessible parking spaces must be identified by signs that include the International Symbol of Accessibility.
- Access aisles must be marked so as to discourage parking in them.
- An accessible route must adjoin each access aisle serving accessible parking spaces. The accessible route connects each access aisle to accessible entrances.
- Accessible parking spaces must be located on the shortest accessible route of travel to an accessible entrance.
- Accessible parking spaces and the required accessible route should be located where individuals with disabilities do not have to cross vehicular lanes or pass behind parked vehicles to have access to an accessible entrance. If it is necessary to cross a vehicular lane because, for example, local fire engine access requirements prohibit parking immediately adjacent to a building, then a marked crossing running perpendicular to the vehicular route should be included as part of the accessible route to an accessible entrance.
- One in every six accessible parking spaces must be van accessible; this is an increase from the previous standard, which required one in every eight spaces to be van accessible.*

* identifies revisions to ADA standards ** identifies revisions to NJ Statutes

REDESIGNED PERSON WITH A DISABILITY ID CARD AND PLACARDS, EFFECTIVE AUGUST 1, 2013

FIGURE 1



FIGURE 2



FIGURE 3



HOW ARE ACCESSIBLE PARKING SPACES IDENTIFIED?



- Accessible spaces, reserved for use by individuals with disabilities, are identified with a sign bearing the International Symbol of Accessibility.
- In New Jersey, signage also should include a penalty sign indicating fines for offenses. The penalty for the first offense is \$250 and, for subsequent offenses, a \$250 minimum fine and/or up to 90 days community service.

A PERMIT OR PLATE HOLDER CANNOT PARK IN THE FOLLOWING AREAS:

- Striped access aisles adjacent to accessible parking spaces
- Parking meters without depositing a coin
- Parking meters beyond a 24 hour period
- Other areas prohibited by Law as outlined in **C.39:4-138** (i.e. within an intersection, on a crosswalk, in any area appropriately marked “no parking”, within 50 ft. of a “stop” sign, within 10 ft. of a fire hydrant, etc.)

Remember: Restricted parking permits and plates are to be used solely by the individual with the qualifying disability. If someone without a disability uses another person's permit or plates, the Motor Vehicle Commission or issuing locality may revoke the permit/plates, deny renewal, and issue fines of at least \$250.

WHAT ARE BUSINESS OR FACILITY OWNERS AND OPERATORS REQUIRED TO DO?

- Owners or operators of any facility (e.g., restaurant, theater, library) which provides public parking, whether an indoor or outdoor garage or parking lot, are required to provide accessible parking spaces in accordance with federal and state laws. Enforcement of motor vehicle laws, including parking privileges, is a local matter.

COMPLAINTS ABOUT ILLEGAL PARKING ...WHAT CAN BE DONE?

- Ask a state, county or municipal law enforcement officer to ticket an illegally parked car and to arrange for the removal and storage of the vehicle.

- Complain to a shopping center manager or business owner (if at a commercial site). Ask them to inform the local authorities.
- File a complaint with your local municipality.

FREQUENTLY ASKED QUESTIONS

Q: How many accessible parking spaces are required and what changes related to accessible parking occurred as a result of the revised 2010 ADA standards?

A: The number of accessible parking spaces required depends on the total number of parking spaces in the lot or garage. While the revised 2010 ADA standards did not change the total number of accessible spaces required overall, the revisions did increase both the required number of van spaces and the required width of van space.

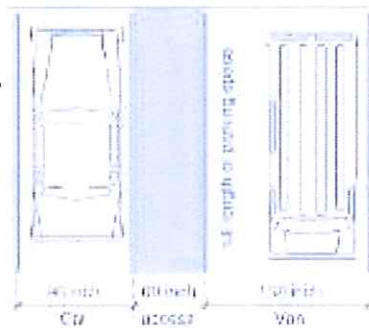
In accordance with the revised ADA standards of accessible design, when there is new construction or an alteration (striping or restriping) of previously constructed parking spaces beginning on or after March 15, 2012, it is required that at least one accessible space in every parking lot and one in every six (1:6) accessible parking spaces be van accessible, with increased dimensions of at least 132 inches (11 feet) and an access aisle of at least 60 inches (5 feet).

Total # spaces	Required # of accessible spaces	Required # of accessible van spaces if constructed or altered prior to 3/15/2012	Required # of accessible van spaces if constructed or altered on or after 3/15/2012
-----	At least 1 in each lot	1:8	1:6
1-25	1	1	1
26-50	2	1	1
51-75	3	1	1
79-100	4	1	1
101-150	5	1	1
151-200	6	1	1
201-300	7	1	2
301-400	8	1	2
401-500	9	2	2
51-1,000	2% of total	1 in every 8	1 in every 6
Over 1,000	20 + 1 for each 100 over 1,000	1 in every 8	1 in every 6

Q: How must accessible parking spaces and access aisles be marked?

A: The parking spaces and access aisles must be painted in a color (most often blue) contrasting with other spaces. Signage with the International Symbol of Accessibility and the Penalty Sign must be provided at each accessible parking space and must be permanently installed 5 to 7 feet above the ground. Signs identifying van parking spaces shall contain the designation “van accessible.” The required “van accessible” designation is intended to be informative, not restrictive, in identifying those spaces that are better suited for van use. The access aisle for both accessible car and van spaces is required to be a minimum of 60 inches (5 feet) wide. Access aisles shall adjoin an accessible route, shall be marked so as to discourage parking in them, and shall extend the full length of the parking spaces they serve. Also, two parking spaces may share a common access aisle.

Q: Can accessible parking spaces be the same size as non-accessible spaces, as long as the appropriate signs are placed in front of the space?



A: No. The New Jersey Barrier Free Subcode and the 2010 Americans with Disabilities Act requires that accessible car parking spaces be at least 96 inches (8 feet) wide and accessible van parking spaces be at least 132 inches wide (11 feet). The access aisle for both accessible car and van spaces is required to be a minimum of 60 inches (5 feet) wide.

Exception: Van Parking spaces shall be permitted to be a minimum of 96 inches (8 feet) wide where the access aisle is a minimum of 96 inches (8 feet) wide.

Q: If a parking lot does not have any spaces designated for people with disabilities because it was paved a long time ago, before these requirements were in place, does it now have to provide accessible parking spaces?

A: Yes. Title III of the ADA requires private entities to remove barriers in order to become compliant. Therefore, even if business owners are not planning any type of construction, they are still obligated to remove barriers that are readily achievable.

Q: Is my wheelchair symbol license plate/placard valid when traveling outside of New Jersey?

A: Not always. Check with the state you intend to visit. Reciprocity is standard for some but not all states. For example, a NJ placard/pate is not valid on NYC Streets, as NYC requires their own accessible parking permit. However, a motor vehicle with a special license plate, placard or parking permit issued to a person with a disability by another state, district or territory of the United States, or by Canada shall be entitled to accessible parking privileges in NJ. (39:4-207.5)

Q: Store owners and other businesses often receive complaints from patrons about other customers who illegally park in the accessible parking spaces or misuse the spots by parking in the striped area next to the space. What should they do?

A: Instances in which individuals illegally park in a space marked for accessible parking should be reported to the proper law enforcement authorities. In your area, if the local police are responsible for addressing violations, they should be notified as soon as possible. If a local security company staff patrols your parking area, they should be notified.

The striped area next to the parking space is called an access aisle and is strictly off limits for parking to everyone, regardless of whether or not they have a wheelchair symbol license plate/placard. The access aisle must be in place in order to ensure that people who use wheelchairs have room to transfer in and out of their vehicles. Only the accessible parking space itself is reserved for those individuals who have proper identification on their vehicles (i.e., placard/tag) indicating that they are authorized to park in these designated areas. The access aisle or striped area next to the parking space is NOT a parking space. Anyone who parks in this area illegally should be reported to a local law enforcement officer.

Q: Do store owners or other business owners have to clear snow and ice from the accessible parking spaces?

A: Yes. Businesses are required to clear ice, snow, or any obstructions from accessible parking spaces and adjacent curb cuts within 24 hours after the weather condition causing the snow or ice ceases. New Jersey Parking Statues (C.39:4-207.9) mandate fines from \$500 to \$1,000 for violations.

Q: Is a person with a wheelchair symbol license plate/placard required to deposit money when parking at a metered space?

A: Yes. When parking at a metered space, a driver with a disability placard/license plate must put the appropriate amount of money in the meter. If the vehicle will occupy the space for more than the maximum amount of time allotted on the meter, the driver must fill the meter to the maximum amount allowed. This will permit the vehicle to occupy the space for up to 24 hours without having to come back and refill the meter. A municipality may require the vehicle to vacate the space after 24 hours.

(Note: metered parking is delegated to local municipalities by N.J.S.A. 39:4-197; The 24 hour limit is set forth in N.J.S.A. 39:4-207)

To obtain an application for a persons with a disability license plate or permanent placard:

- Go to <http://www.state.nj.us/mvc/Vehicle/overview.htm>
- Call (888) 486-3339
- Visit your nearest Motor Vehicle Commission facility

Temporary Placards can be granted for short-term mobility impairments. Written medical certification from a qualified practitioner is required. Temporary Placards are valid for six months, are renewable one time at the discretion of the issuing authority, and are issued by the chief of Police of each municipality.

FOR MORE INFORMATION



**NJ Division of
Disability Services**

PO Box 705 Trenton, NJ 08625-0705

(888) 285-3036 (Voice)

(609) 631-2487 (Voice)

(609) 631-4364 (TTY)

www.state.nj.us/humanservices/dds

Joseph M. Amoroso

Director

Dianna L. Maurone

Administrator of Information and Referral Services

or

New Jersey Motor Vehicles Commission

(888) 486-3339 (Voice) (In-state only)

(609) 292-6500 (Voice) (Out-of-state only)

(609) 292-5120 (TTY)

www.state.nj.us/mvc

ADA Information Line

(800) 514-0301 (Voice)

(800) 514-0383 (TTY)

www.ADA.gov

United Spinal Association

75-20 Astoria Blvd., East Elmhurst, NY 11370

(800) 404-2898 (Voice) (In-state only)

(718) 803-3782 (Voice and TTY)

www.unitedspinal.org