

CHAPTER 76**RESIDENTIAL DISABILITY IDENTIFICATION
EMBLEMS****Authority**

N.J.S.A. 52:27D-25hh and 52:17B-139.12.

Source and Effective Date

R.2003 d.230, effective June 16, 2003.
See: 34 N.J.R. 3888(a), 35 N.J.R. 2639(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 76, Residential Disability Identification Emblems, expires on June 20, 2005. See: 36 N.J.R. 3652(a).

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SUBCHAPTER 1. GENERAL PROVISIONS**5:76-1.1 Purpose and scope**

(a) The purpose of this chapter is to assist emergency service responders in locating persons with disabilities in residential emergencies.

(b) This chapter shall apply to all disabled persons who apply to the Division of Fire Safety for residential disability identification emblems. Additionally, this chapter shall apply to all owners or occupants of residential dwellings with disability identification emblems for which the emblem is not applicable.

5:76-1.2 Definition of "person with a disability"

(a) "Person with a disability" means a person who:

1. Is severely and permanently disabled and cannot ambulate without the use of assistive devices, such as a cane, crutch, wheelchair, prosthetic device or other person; or
2. Suffers from lung disease or uses portable oxygen; or
3. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as a class III or class IV, according to the American Heart Association; or

4. Is deaf or hard of hearing; or

5. Has permanent sight impairment in both eyes as certified by the New Jersey Commission for the Blind; or

6. Is someone whose ability to walk is severely and permanently limited due to an arthritic, neurological, or orthopedic condition.

5:76-1.3 Residential Disability Identification Emblem; application; certification; renewal

(a) Upon approval of an application and supporting documentation, the Division of Fire Safety shall issue to a person with a disability a residential disability identification emblem. An application and supporting documentation shall be re-submitted once every two years.

(b) A residential disability identification emblem application shall not be accepted if it is not on a Division of Fire Safety approved form.

(c) A residential disability identification emblem application shall include a certification by a licensed medical doctor, podiatrist or physician licensed to practice in New Jersey or a bordering state that the applicant is a person with a disability as defined in this chapter.

1. A person who has a current Division of Motor Vehicle Services-issued Handicapped Parking Placard may submit with his or her residential disability identification emblem application the handicapped parking placard permit number and expiration date instead of a doctor's, podiatrist's or physician's certificate.

5:76-1.4 Locations on residential dwellings; removal; enforcement

(a) On one- and two-family dwellings, the residential disability identification emblem shall be placed on or near the main entrance and shall be visible from the outside of the dwelling.

1. Additional residential disability identification emblems on one- and two-family dwellings may be placed on the window or windows where the person needing assistance is stationed or where that person sleeps.

(b) On multifamily dwellings, the residential disability identification emblem shall be placed on or near the main entrance to the individual dwelling unit and be visible from the outside of the unit.

1. Additional residential disability identification emblems on a multifamily dwelling may be placed on the window or windows where the person needing assistance is stationed or where that person sleeps.

(c) A residential disability identification emblem shall be nontransferable and shall be removed by the owner or

current occupant of a dwelling when a qualified person with a disability no longer resides in that dwelling.

(d) Uniform Fire Code local enforcing agencies shall enforce this section by using the applicable provisions of the Uniform Fire Code, N.J.A.C. 5:70.