

**ASSEMBLY BILL NO. 3683
(Second Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3683 (Second Reprint) with my recommendations for reconsideration.

We are fortunate to have dedicated health and personal care professionals, who travel to patients' homes to perform support services that are often critical to the health, well-being and quality of life of some of our State's most vulnerable citizens, often under difficult conditions and in physically and emotionally demanding circumstances. These services are especially valuable to our aging population, who may be subject to limitations on their mobility such that they are unable to easily commute to and from a hospital or doctor's office, or require medical and personal assistance simply to get through a day at home. To provide treatment and care, home care service agencies deploy hard-working, trained professionals who do not utilize emergency service vehicles. Rather, these home care service employees drive unmarked, non-emergency vehicles that are subject to normal parking restrictions, even in areas where parking is very limited.

In densely populated areas of the State, patients in need often suffer from delayed service and limited treatment because health care service employees are unable to park their vehicles anywhere near the patient's home, or must truncate the provision of services to feed the meter or move their vehicles. This bill seeks to alleviate some of these concerns and I commend the sponsors for creatively addressing the issue.

While it is important to ensure that home care service employees are able to more readily provide services to those in need by removing practical obstacles such as travel and parking restrictions that would otherwise interfere with or unduly burden the delivery of these much-needed services, we can accomplish that result without creating undue

administrative burdens and while limiting opportunities for abuse of this salutary program. Accordingly, I am recommending sensible changes to the bill that will address some of the concerns articulated by the State's Motor Vehicle Commission ("MVC"). The bill tasks the MVC with the responsibility for creating and administering the new placard program, but does not provide sufficient resources for that purpose. As such, I am recommending that a renewal fee be implemented to offset the costs associated with launching a new program within the MVC. Additionally, the bill should include safeguards to minimize misuse of the placards and prevent fraud that would compromise the entire program and its successful implementation. To enable more effective enforcement and reduce the potential for abuse, I am suggesting certain changes that will require better information-sharing and reporting by home care service agencies, tighten up the procedural protections, and strengthen compliance.

Accordingly, I herewith return Assembly Bill No. 3683 (Second Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 1, Line 32:</u>	Delete "or other credentials"
<u>Page 2, Section 1, Line 33:</u>	After "or" insert "registered with the"
<u>Page 2, Section 1, Line 37:</u>	Delete "The" and insert "In order to receive the benefits set forth in this subsection, as applicable, the"
<u>Page 2, Section 1, Line 38:</u>	After "when" insert "the vehicle is parked while the employee is"
<u>Page 2, Section 1, Line 39:</u>	Delete "and" and insert "or"
<u>Page 2, Section 1, Line 39:</u>	After "while" insert "the employee is"
<u>Page 2, Section 1, Line 40:</u>	After "services." delete "The" and insert "When displayed as authorized pursuant to this subsection, the"
<u>Page 3, Section 1, Line 11:</u>	Delete "when rendering health" and insert "for up to 24 hours in one location with no penalty imposed."
<u>Page 3, Section 1, Line 12:</u>	Delete "or personal care services."

<u>Page 3, Section 1, Line 15:</u>	Delete "one year" and insert "two years"
<u>Page 3, Section 1, Line 16:</u>	Delete "indefinitely" and insert "biannually"
<u>Page 3, Section 1, Line 19:</u>	Delete "one-time registration"
<u>Page 3, Section 1, Line 20:</u>	Delete "issued. A home care" and insert "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."
<u>Page 3, Section 1, Lines 21-22:</u>	Delete in its entirety
<u>Page 3, Section 1, Line 28:</u>	After "license numbers" insert "and names"
<u>Page 3, Section 1, Line 30:</u>	Delete "which shall be made available" and insert ", and shall provide those identifying numbers and employee driver's license numbers and names"
<u>Page 3, Section 1, Line 30:</u>	After "commission" insert "."
<u>Page 3, Section 1, Line 31:</u>	Delete in its entirety
<u>Page 3, Section 1, Line 34:</u>	After "employee" insert "at that agency"
<u>Page 3, Section 1, Line 35:</u>	After "commission" insert ", within 30 days, that an employee who has been assigned a placard is no longer employed by the agency and"
<u>Page 3, Section 1, Line 36:</u>	After "employment." insert "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."
<u>Page 3, Section 1, Line 41:</u>	After "when" insert "the vehicle is parked while a health care services employee is"
<u>Page 3, Section 1, Line 42:</u>	After "residence" insert "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"

Page 3, Section 1, Line 46:

After "offense." insert "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. , c. (C.) (pending before the Legislature as this bill)."

Page 4, Section 1, Line 6:

After "bill)." insert "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. , c. (C.) (pending before the Legislature as this bill) 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."

Respectfully,

/s/ Philip D. Murphy

Governor

[Seal]

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor