

SENATE, No. 646

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Senators Gopal, Pou, Ruiz, Scutari and Gill

SYNOPSIS

Requires NJTA and SJTA to check E-ZPass database before issuing E-ZPass violation.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee with technical review.



(Sponsorship Updated As Of: 2/14/2022)

1 AN ACT concerning certain electronic toll collection system
2 processes and amending and supplementing P.L.1997, c.59.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 6 of P.L.1997, c.59 (C.27:23-34.1) is amended to
8 read as follows:

9 6. As used in sections 6 through 10 of P.L.1997, c.59 (C.27:23-
10 34.1 through C.27:23-34.5) **and**, section 3 of P.L.2021, c.251
11 (C.27:23-34.7), and section 3 of P.L. , c. (C.) (pending
12 before the Legislature as this bill):

13 "Authority" means the New Jersey Turnpike Authority
14 established by section 3 of P.L.1948, c.454 (C.27:23-3).

15 "Electronic toll collection system" means the electronic system
16 employed or utilized by the authority to register and collect the toll
17 required to be paid for a vehicle entering a toll plaza owned or
18 operated by, or on behalf of, the authority.

19 "Lessee" means any person, corporation, firm, partnership,
20 agency, association or organization that rents, leases or contracts for
21 the use of a vehicle and has exclusive use of the vehicle for any
22 period of time.

23 "Lessor" means any person, corporation, firm, partnership,
24 agency, association or organization engaged in the business of
25 renting or leasing vehicles to any lessee under a rental agreement,
26 lease or other contract that provides the lessee with the exclusive
27 use of the vehicle for any period of time.

28 "Operator" means the term "operator" as defined in R.S.39:1-1.

29 "Owner" means the term "owner" as defined in R.S.39:1-1.

30 "Toll collection monitoring system" means a vehicle sensor,
31 placed in a location to work in conjunction with a toll collection
32 facility, that produces one or more photographs, one or more
33 microphotographs, a videotape or other recorded images, or a
34 written record, of a vehicle at the time the vehicle is used or
35 operated in a violation of the toll collection monitoring system
36 regulations. The term shall also include any other process that
37 identifies a vehicle by photographic, electronic or other method.

38 "Toll collection monitoring system regulations" means the
39 regulations authorized and adopted pursuant to section 7 of
40 P.L.1997, c.59 (C.27:23-34.2) that prohibit a vehicle from making
41 use of any project except upon the payment of such tolls as may
42 from time to time be prescribed by the authority and that further
43 makes it a violation subject to a civil penalty for any person to
44 refuse to pay, to evade, or to attempt to evade the payment of such

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 tolls, if the violation is recorded by a toll collection monitoring
2 system as defined in this section.

3 "Vehicle" means the term "vehicle" as defined in R.S.39:1-1.
4 (cf: P.L.2021, c.251, s.1)

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6 2. Section 11 of P.L.1997, c.59 (C.27:25A-21.1) is amended to
7 read as follows:

8 11. As used in sections 11 through 15 of P.L.1997, c.59
9 (C.27:25A-21.1 through C.27:25A-21.5) **【and】**, section 4 of
10 P.L.2021, c.251 (C.27:25A-21.7), and section 4 of P.L. , c.
11 (C.) (pending before the Legislature as this bill):

12 "Authority" means the South Jersey Transportation Authority
13 established by section 4 of P.L.1991, c.252 (C.27:25A-4).

14 "Electronic toll collection system" means the electronic system
15 employed or utilized by the authority to register and collect the toll
16 required to be paid for a vehicle entering a toll plaza owned or
17 operated by, or on behalf of, the authority.

18 "Lessee" means any person, corporation, firm, partnership,
19 agency, association or organization that rents, leases or contracts for
20 the use of a vehicle and has exclusive use of the vehicle for any
21 period of time.

22 "Lessor" means any person, corporation, firm, partnership,
23 agency, association or organization engaged in the business of
24 renting or leasing vehicles to any lessee under a rental agreement,
25 lease or other contract that provides the lessee with the exclusive
26 use of the vehicle for any period of time.

27 "Operator" means the term "operator" as defined in R.S.39:1-1.

28 "Owner" means the term "owner" as defined in R.S.39:1-1.

29 "Toll collection monitoring system" means a vehicle sensor,
30 placed in a location to work in conjunction with a toll collection
31 facility, that produces one or more photographs, one or more
32 microphotographs, a videotape or other recorded images, or a
33 written record, of a vehicle at the time the vehicle is used or
34 operated in a violation of the toll collection monitoring system
35 regulations. The term shall also include any other process that
36 identifies a vehicle by photographic, electronic or other method.

37 "Toll collection monitoring system regulations" means the
38 regulations authorized and adopted pursuant to section 12 of
39 P.L.1997, c.59 (C.27:25A-21.2) that prohibit a vehicle from making
40 use of any project except upon the payment of such tolls as may
41 from time to time be prescribed by the authority and that further
42 makes it a violation subject to a civil penalty for any person to
43 refuse to pay, to evade, or to attempt to evade the payment of such
44 tolls, if the violation is recorded by a toll collection monitoring
45 system as defined in this section.

46 "Vehicle" means the term "vehicle" as defined in R.S.39:1-1.
47 (cf: P.L.2021, c.251, s.2)

1 3. (New section) Notwithstanding any law, rule, or regulation
2 to the contrary, the New Jersey Turnpike Authority shall not issue a
3 notice of violation or charge any administrative fees to the owner of
4 a vehicle that travels through a lane at a toll plaza or facility
5 dedicated for the electronic toll collection system unless the
6 authority has first determined that the vehicle is not associated with
7 an existing electronic toll collection system account. If the vehicle
8 is associated with an existing electronic toll collection system
9 account, the authority shall relay the license plate information to the
10 lead agency of the electronic toll collection system for toll payment
11 from the appropriate electronic toll collection system account
12 holder, provided that the account holder shall have the right to
13 dispute any such toll charge.

14 An electronic toll collection system account holder shall provide
15 accurate and updated information for the electronic toll collection
16 system account, including updating the license plate numbers
17 associated with the account. If an account holder fails to update the
18 license plate numbers associated with the account, the electronic
19 toll collection system may issue a notice of violation to the account
20 holder for any violation committed and may charge an
21 administrative fee for the violation. The authority shall establish a
22 program to encourage account holders to comply with the
23 provisions of this section by maintaining accurate and updated
24 information for electronic toll collection system accounts.
25

26 4. (New section) Notwithstanding any law, rule, or regulation
27 to the contrary, the South Jersey Transportation Authority shall not
28 issue a notice of violation or charge any administrative fees to the
29 owner of a vehicle that travels through a lane at a toll plaza or
30 facility dedicated for the electronic toll collection system unless the
31 authority has first determined that the vehicle is not associated with
32 an existing electronic toll collection system account. If the vehicle
33 is associated with an existing electronic toll collection system
34 account, the authority shall relay the license plate information to the
35 lead agency of the electronic toll collection system for toll payment
36 from the appropriate electronic toll collection system account
37 holder, provided that the account holder shall have the right to
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40 accurate and updated information for the electronic toll collection
41 system account, including updating the license plate numbers
42 associated with the account. If an account holder fails to update the
43 license plate numbers associated with the account, the electronic
44 toll collection system may issue a notice of violation to the account
45 holder for any violation committed and may charge an
46 administrative fee for the violation. The authority shall establish a
47 program to encourage account holders to comply with the

1 provisions of this section by maintaining accurate and updated
2 information for electronic toll collection system accounts.

3

4 5. This act shall take effect immediately, but the provisions of
5 sections 3 and 4 of P.L. , c. (C.) (pending before the
6 Legislature as this bill) shall not be construed as affecting the terms
7 of any contract or agreement in effect as of the effective date of this
8 act.