

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 175**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 7, 2024

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 175.

As amended and reported by the committee, this bill establishes an “ATV Law Enforcement Task Force” in each county, respectively. Each county task force is required to: 1) study and make recommendations concerning efforts to enforce all-terrain vehicle (ATV) laws; and 2) develop and adopt a county ATV law enforcement mutual aid plan that will set forth an agreement among the counties regarding the adoption of policies and procedures to enhance and coordinate all-terrain vehicle law enforcement efforts, including the utilization of recent changes to the law regarding the seizure of certain all-terrain vehicles. In addition, this bill provides law enforcement with the authority to seize certain all-terrain vehicles pursuant to the provisions of the mutual aid agreement.

The task force is to consist of the following members:

- (1) the county prosecutor who is to serve as the chair of that county’s task force;
- (2) the county sheriff, or a designee;
- (3) the chief law enforcement officer of every county and municipal police department or force in that county, or a designee; and
- (4) the chief law enforcement officer of any county park police department or force in that county, or a designee.

The chairs are to appoint a secretary who need not be a member of the county task force. The members of the task force are to serve without compensation but may be reimbursed, within the limits of funds made available to the task force, for necessary travel expenses incurred in the performance of their duties.

Under the bill, each county task force is required to prepare and adopt a county ATV law enforcement mutual aid plan. The plan is required to set forth policies and procedures regarding the enforcement of laws regulating all-terrain vehicles to enhance enforcement through a coordination of efforts and resources. Each county mutual aid plan is to be based upon the planning criteria, objectives, requirements, responsibilities and concepts of operation essential for the implementation of all necessary and appropriate

protective or remedial measures taken in response to the illegal use of all-terrain vehicles. The county mutual aid plans are required to be adopted no later than six months after the effective date of this bill.

In addition, the bill provides that the mutual aid plan is to set forth policies and procedures regarding the implementation of P.L.2021, c.353 in each of the State's 21 counties, which would allow a municipality to adopt an ordinance declaring any all-terrain vehicle in that municipality that is operated illegally as contraband subject to forfeiture in accordance with the provisions of N.J.S.2C:64-1.

Each law enforcement agency is required to implement the county's mutual aid plan and will have the authority to seize any ATV operated illegally, pursuant to the provisions of the mutual aid plan.

Pursuant to the bill's provisions, the task force is to transmit its findings and recommendations to the Attorney General within six months of the initial meeting.

Upon receiving the findings and recommendations of each county task force, the bill provides that the Attorney General is to prepare a report to be submitted to the Governor and Legislature no later than three months after receiving the findings and recommendations of each county task force. The report is to include the findings and recommendations for legislation that may aid coordinated enforcement of ATV laws and public safety.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

- 1) remove a \$1 million appropriation;
- 2) provide that funding for the necessary and reasonable expenses of operating the task force may be appropriated from the General Fund and allocated by the Department of Law and Public Safety in order to effectuate the bill's provisions;
- 3) make a technical correction.