

[First Reprint]

ASSEMBLY, No. 1153

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Co-Sponsored by:

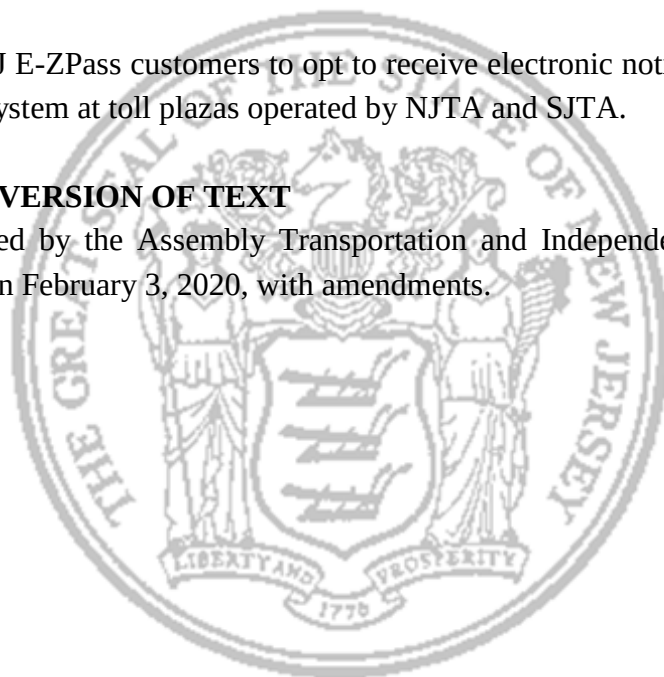
Assemblyman McKeon, Assemblywomen Mosquera, Jasey, Assemblymen McGuckin, Catalano, Conaway, Assemblywomen Jimenez, Vainieri Huttel, Assemblyman Tully, Assemblywoman Swain and Assemblyman Calabrese

SYNOPSIS

Allows NJ E-ZPass customers to opt to receive electronic notification of use of E-ZPass system at toll plazas operated by NJTA and SJTA.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on February 3, 2020, with amendments.



(Sponsorship Updated As Of: 5/20/2021)

1 **AN ACT** concerning notifications provided through certain
2 electronic toll collection lanes and amending and supplementing
3 P.L.1997, c.59.

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

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

10 6. As used in sections 6 through 10 of P.L.1997, c.59 (C.27:23-
11 34.1 through C.27:23-34.5) and section 3 of P.L. , c. (C.)
12 (pending 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted February 3, 2020.

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.2003, c.79, s.36)

5
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 P.L. ____,
10 c. (C. __) (pending before the Legislature as this bill):

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

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

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

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

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

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

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

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

45 "Vehicle" means the term "vehicle" as defined in R.S.39:1-1.
46 (cf: P.L.2003, c.79, s.46)

1 3. (New section) Notwithstanding any law, rule, or regulation
2 to the contrary, the New Jersey Turnpike Authority shall ¹install
3 and operate in each lane of any toll facility operated by the
4 authority that utilizes the electronic toll collection system, subject
5 to sections 6 through 10 of P.L.1997, c.59 (C.27:23-34.1 through
6 C.27:23-34.5), a device that transmits immediate ¹transmit¹
7 electronic notification ¹pursuant to the provisions of this section¹ to a
8 customer ¹with ¹that passes through a toll plaza operated by the
9 authority, provided that the customer has¹ an account for the
10 electronic toll collection system ¹when passing through the toll
11 plaza ¹that is registered with the New Jersey E-ZPass Customer
12 Service Center or successor entity and voluntarily opts in for such
13 notification¹. The notification shall alert the customer that the
14 electronic toll collection system has registered the customer's
15 account and may be provided by electronic mail, a text message
16 sent directly to a customer's mobile device, or through a mobile
17 application. ¹Notification shall be made within 24 hours of the
18 transaction posting to the customer's account, or as soon as practicable
19 if no valid account is recognized at the time of the transaction. A
20 customer may opt out of receiving the notification that is provided
21 pursuant to the provisions of this section at any time and may be
22 required to confirm participation in the notification program.¹

23
24 4. (New section) Notwithstanding any law, rule, or regulation
25 to the contrary, the South Jersey Transportation Authority shall
26 ¹install and operate in each lane of any toll facility operated by the
27 authority that utilizes the electronic toll collection system, subject
28 to sections 11 through 15 of P.L.1997, c.59 (C.27:25A-21.1 through
29 C.27:25A-21.5), a device that transmits immediate ¹transmit¹
30 electronic notification ¹pursuant to the provisions of this section¹ to a
31 customer ¹with ¹that passes through a toll plaza operated by the
32 authority, provided that the customer has¹ an account for the
33 electronic toll collection system ¹when passing through the toll
34 plaza ¹that is registered with the New Jersey E-ZPass Customer
35 Service Center or successor entity and voluntarily opts in for such
36 notification¹. The notification shall alert the customer that the
37 electronic toll collection system has registered the customer's
38 account and may be provided by electronic mail, a text message
39 sent directly to a customer's mobile device, or through a mobile
40 application. ¹Notification shall be made within 24 hours of the
41 transaction posting to the customer's account, or as soon as practicable
42 if no valid account is recognized at the time of the transaction. A
43 customer may opt out of receiving the notification that is provided
44 pursuant to the provisions of this section at any time and may be
45 required to confirm participation in the notification program.¹

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