

ASSEMBLY, No. 1848

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

SYNOPSIS

Requires reflective material on children's Halloween costumes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning children’s safety and supplementing Title 56 of
2 the Revised Statutes.

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

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7 1. a. As used in this act:

8 “Child” means a person less than 18 years of age.

9 “Halloween costume” means a costume, garment, article of
10 clothing, or fashion of dress appropriate to, marketed for, or
11 intended for use on Halloween.

12 “Reflective material” means reflective tape, fabric, decorative
13 patches or other material that is highly visible in low light.

14 b. (1) A person shall not sell or offer for sale a Halloween
15 costume intended for use by a child that does not have reflective
16 material attached to, or packaged and sold with, the costume.

17 (2) A person in violation of paragraph (1) of this subsection
18 shall be subject to a penalty of not more than \$500 for the first
19 offense and not more than \$1,000 for each subsequent offense, to be
20 collected in a civil action by a summary proceeding under the
21 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10
22 et seq.).

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24 2. This act shall take effect immediately and apply to children’s
25 Halloween costumers sold on or after November 15 next following
26 the date of enactment.

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STATEMENT

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31 This bill requires children’s Halloween costumes sold at retail to
32 have reflective material that is 1) attached to the costume, or 2)
33 packaged with the costume to be subsequently attached by the
34 buyer. Reflective material increases visibility in unsafe situations
35 and helps to reduce the risk of consequential accidents due to low
36 visibility or darkness.

37 A person who sells a child’s Halloween costume without
38 reflective material would pay a penalty of not more than \$500 for
39 the first offense and not more than \$1,000 for each subsequent
40 offense.

41 The United States Consumer Product Safety Commission
42 (CPSC) urges consumers to purchase or make costumes that are
43 brightly colored and clearly visible to motorists. Consumers should
44 decorate or trim costumes and treat bags with reflective tape that
45 glows in the beam of a car’s headlights. The commission also
46 recommends that bags or sacks be brightly colored or decorated
47 with reflective tape.

1 According to the CPSC, hundreds of Halloween-related injuries
2 are reported each year. Incidents involve burns, lacerations from
3 pumpkin-carving, falls related to ill-fitting costumes, and injuries
4 from collisions due to impaired vision. Requiring reflective
5 material on costumes marketed to and used by children improves
6 the safety of trick-or-treaters and drivers on Halloween night.