

ASSEMBLY, No. 2123

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Benson

SYNOPSIS

Establishes Pedestrian and Bicycle Safety Advisory Council.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing a Pedestrian and Bicycle Safety Advisory
2 Council and supplementing Title 39 of the Revised Statutes.

3

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

6

7 1. a. There is established in, but not of, the Department of
8 Transportation, a Pedestrian and Bicycle Safety Advisory Council,
9 to consist of the Division Administrator of the New Jersey Division
10 of the Federal Highway Administration, ex officio, or the division
11 administrator's designated representative, who shall be a non-voting
12 member, and 17 voting members as follows:

13 (1) The Commissioner of Transportation, ex officio, or the
14 commissioner's designated representative;

15 (2) The Chief Administrator of the New Jersey Motor Vehicle
16 Commission, ex officio, or the chief administrator's designated
17 representative;

18 (3) The Director of the Division of Highway Traffic Safety in
19 the Department of Law and Public Safety, ex officio, or the
20 director's designated representative;

21 (4) The Commissioner of Health, ex officio, or the
22 commissioner's designated representative;

23 (5) The Executive Director of the New Jersey Transit
24 Corporation, ex officio, or the executive director's designated
25 representative;

26 (6) The Manager of the Office of Bicycle and Pedestrian
27 Programs in the Department of Transportation, ex officio, or the
28 manager's designated representative;

29 (7) The Executive Director of the North Jersey Transportation
30 Planning Authority, ex officio, or the executive director's
31 designated representative;

32 (8) The Executive Director of the South Jersey Transportation
33 Planning Organization, ex officio, or the executive director's
34 designated representative;

35 (9) The Executive Director of the Delaware Valley Regional
36 Planning Commission, ex officio, or the executive director's
37 designated representative;

38 (10) Two members of the public to be appointed by the
39 Governor, in consultation with the Commissioner of Transportation,
40 who represent organizations that have expertise in Statewide
41 transportation options and regional expertise in bicycle and
42 pedestrian advocacy; one member of the public to be appointed by
43 the Senate President who represents an organization that works to
44 address issues facing senior citizens in this State; and one member
45 of the public to be appointed by the Speaker of the General
46 Assembly upon the recommendation of AARP;

1 (11) Two members of the Senate, one to be appointed by the
2 Senate President and one to be appointed by the Senate Minority
3 Leader; and

4 (12) Two members of the General Assembly, one to be
5 appointed by the Speaker of the General Assembly and one to be
6 appointed by the Assembly Minority Leader.

7 b. The public members shall serve for a term of four years from
8 the date of their appointment and until their successors are
9 appointed and qualified. Any vacancy in the membership of the
10 council shall be filled by appointment in the same manner as the
11 original appointment, but for the unexpired term only.

12 c. The council shall adopt by-laws for the regulation of its
13 affairs and the conduct of its business.

14 d. The council shall meet at least four times per year and shall
15 comply with the provisions of the "Senator Byron M. Baer Open
16 Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

17
18 2. The council shall organize as soon as possible after the
19 appointment of a majority of the council's members and shall elect
20 from among the members who are not members of the Senate or
21 General Assembly a chairperson and a vice-chairperson.

22
23 3. The purpose of the council shall be to study, examine, and
24 review the issue of bicycle and pedestrian safety in New Jersey and
25 to advise the Governor, Legislature, and Department of
26 Transportation on policies, programs, research, and priorities to
27 advance bicycling and walking as safe and viable forms of
28 transportation and recreation throughout the State for persons of all
29 ages and abilities. To fulfill this purpose, the council shall:

30 a. identify problem areas, safety concerns, infrastructure and
31 design issues, and factors contributing to crashes involving
32 pedestrians or bicyclists, including, but not limited to, the type of
33 motor vehicle violations, including speeding, that contribute to
34 accidents involving bicyclists or pedestrians;

35 b. study and analyze the rights, duties, and responsibilities of
36 motorists, pedestrians, and bicyclists, including the availability and
37 effectiveness of driver education and training programs and other
38 efforts to educate and inform the public about pedestrian and
39 bicycle issues;

40 c. perform studies and review existing research on bicycle and
41 pedestrian issues including, but not limited to, senior citizen
42 mobility issues, in cooperation with the Department of
43 Transportation;

44 d. review current State planning processes which include
45 bicycle and pedestrian facilities;

46 e. review Title 39 of the Revised Statutes and study potential
47 policies, legislative and regulatory solutions, and best practices
48 designed to promote the safety of bicyclists and pedestrians;

f. promote cooperation and coordination between governmental agencies and private entities concerning bicycle and pedestrian safety, including, but not limited to, reviewing and recommending municipal planning practices concerning bicycle and pedestrian facilities, sidewalks, and lighting; and

g. perform other functions deemed appropriate by the council to fulfill its duties under P.L. , c. (C.) (pending before the Legislature as this bill).

4. The council shall be entitled to call to its assistance and avail itself of the services of officials and employees of the State and its political subdivisions and their departments, boards, bureaus, commissions, and agencies as it may require and as may be available to it for the purposes of the council and may expend those funds as may be appropriated or otherwise made available to it for the purposes of P.L. , c. (C.) (pending before the Legislature as this bill).

5. The council shall report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature concerning its activities pursuant to section 3 of P.L. , c. (C.) (pending before the Legislature as this bill) no later than one year following the first meeting of the council. Thereafter, the council shall submit annually a report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

6. This act shall take effect immediately.

STATEMENT

The bill establishes a Pedestrian and Bicycle Safety Advisory Council (council) in, but not of, the Department of Transportation to study, examine, and review the issue of bicycle and pedestrian safety in New Jersey.

In conducting its responsibilities, the council is to: identify problem areas, safety concerns, infrastructure and design issues, and factors contributing to crashes involving pedestrians or bicyclists; study and analyze the rights, duties, and responsibilities of motorists, pedestrians, and bicyclists; perform studies and review existing research on bicycle and pedestrian issues; review current State planning processes which include bicycle and pedestrian facilities; review statutory law and study potential policies, legislative and regulatory solutions, and best practices designed to promote the safety of bicyclists and pedestrians; promote cooperation and coordination between governmental agencies and private entities concerning bicycle and pedestrian safety; and perform any other functions deemed appropriate to fulfill its duties. The council will report annually to the Governor and the Legislature concerning its activities.