

[First Reprint]

## **ASSEMBLY, No. 2208**

# **STATE OF NEW JERSEY**

## **219th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex and Morris)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblywoman Timberlake**

### **SYNOPSIS**

Permits counties and municipalities to bond for passenger cars and station wagons solely fueled by electric or renewable power sources.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Environment and Solid Waste Committee on January 27, 2021, with amendments.



**(Sponsorship Updated As Of: 12/20/2021)**

1   **AN ACT** concerning local bonds and amending N.J.S.40A:2-22.

2

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

5

6       <sup>1</sup>**[**1. N.J.S.40A:2-22 is amended to read as follows:

7       40A:2-22. The governing body of the local unit shall determine  
8 the period of usefulness of any purpose according to its reasonable  
9 life computed from the date of the bonds, which period shall not be  
10 greater than the following:

11       a. Buildings and structures.

12       1. Bridges, including retaining walls and approaches, or  
13 permanent structures of brick, stone, concrete or metal, or similar  
14 durable construction, 30 years.

15       2. Buildings, including the original furnishings and equipment  
16 therefor:

17       Class A: A building, of which all walls, floors, partitions, stairs  
18 and roof are wholly of incombustible material, except the window  
19 frames, doors, top flooring and wooden handrails on the stairs, 40  
20 years;

21       Class B: A building, the outer walls of which are wholly of  
22 incombustible material, except the window frames and doors, 30  
23 years;

24       Class C: A building which does not meet the requirements of  
25 Class A or Class B, 20 years.

26       3. Buildings or structures acquired substantially reconstructed  
27 or additions thereto, one-half the period fixed in this subsection for  
28 such buildings or structures.

29       4. Additional furnishings, five years.

30       b. Marine improvements.

31       1. Harbor improvements, docks or marine terminals, 40 years.

32       2. Dikes, bulkheads, jetties or similar devices of stone,  
33 concrete or metal, 15 years; of wood or partly of wood, 10 years.

34       c. Additional equipment and machinery.

35       1. Additional or replacement equipment and machinery, 15  
36 years.

37       2. Voting machines, 15 years.

38       3. Information technology and telecommunications equipment,  
39 7 years, except that for items with a unit cost of less than \$5,000, 5  
40 years.

41       d. Real property.

42       1. Acquisition for any public purpose of lands or riparian  
43 rights, or both, and the original dredging, grading, draining or  
44 planting thereof, 40 years.

**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:

<sup>1</sup>Assembly AEN committee amendments adopted January 27, 2021.

- 1       2. Improvement of airport, cemetery, golf course, park,  
2       playground, 15 years.
- 3       3. Stadia of concrete or other incombustible materials, 20  
4       years.
- 5       e. Streets or thoroughfares.
- 6       1. Elimination of grade crossings, 35 years.
- 7       2. Streets or roads:
- 8       Class A: Rigid pavement. A pavement of not less than eight  
9       inches of cement concrete or a six-inch cement concrete base with  
10      not less than three-inch bituminous concrete surface course, or  
11      equivalent wearing surface, 20 years.
- 12      Flexible pavement. A pavement not less than 10 inches in depth  
13      consisting of five-inch macadam base, three-inch modified  
14      penetration macadam and three-inch bituminous concrete surface  
15      course or other pavements of equivalent strength, in accordance  
16      with the findings of the American Association of State Highway  
17      Officials (AASHO) Road Test, 20 years.
- 18      Class B: Mixed surface-treated road. An eight-inch surface of  
19      gravel, stone or other selected material under partial control mixed  
20      with cement or lime and fly ash, six inches in compacted thickness  
21      with bituminous surface treatment and cover, 10 years.
- 22      Bituminous penetration road. A five-inch gravel or stone base  
23      course and a three-inch course bound with a bituminous or  
24      equivalent binder, 10 years.
- 25      Class C: Mixed bituminous road. An eight-inch surface of  
26      gravel, stone, or other selected material under partial control mixed  
27      with bituminous material one inch or more in compacted thickness,  
28      five years.
- 29      Penetration macadam road. A road of sand, gravel or water-  
30      bound macadam, or surfacing with penetration macadam, five years.
- 31      3. Sidewalks, curbs and gutters of stone, concrete or brick, 10  
32      years.
- 33      The period of usefulness in this subsection shall apply to  
34      construction and reconstruction of streets and thoroughfares.
- 35      f. Utilities and municipal systems.
- 36      1. Sewerage system, whether sanitary or storm water, water  
37      supply or distribution system, 40 years.
- 38      2. Electric light, power or gas systems, garbage, refuse or ashes  
39      incinerator or disposal plant, 25 years.
- 40      3. Communication and signal systems, 10 years.
- 41      4. House connections to publicly-owned gas, water or sewerage  
42      systems from the service main in the street to the curb or property  
43      lines where not part of original installation, five years.
- 44      g. Vehicles and apparatus.
- 45      1. Fire engines, apparatus and equipment, when purchased  
46      new, but not fire equipment purchased separately, 10 years.
- 47      2. Automotive vehicles, including original apparatus and  
48      equipment (other than passenger cars and station wagons that are

1 not solely fueled by an electric or other renewable power source),  
2 when purchased new, five years.

3 3. Major repairs, reconditioning or overhaul of fire engines and  
4 apparatus, ambulances, rescue vehicles, and similar public safety  
5 vehicles (other than passenger cars and station wagons that are not  
6 solely fueled by an electric or other renewable power source) which  
7 may reasonably be expected to extend for at least five years the  
8 period of usefulness thereof, five years.

9 h. The closure of a sanitary landfill facility utilized, owned or  
10 operated by a county or municipality, 15 years; provided that the  
11 closure has been approved by the Board of Public Utilities and the  
12 Department of Environmental Protection. For the purposes of this  
13 subsection "closure" means all activities associated with the design,  
14 purchase or construction of all measures required by the  
15 Department of Environmental Protection, pursuant to law, in order  
16 to prevent, minimize or monitor pollution or health hazards  
17 resulting from sanitary landfill facilities subsequent to the  
18 termination of operations at any portion thereof, including, but not  
19 necessarily limited to, the costs of the placement of earthen or  
20 vegetative cover, and the installation of methane gas vents or  
21 monitors and leachate monitoring wells or collection systems at the  
22 site of any sanitary landfill facility.

23 i. (Deleted by amendment, P.L.2007, c.62.)

24 j. The prefunding of a claims account for environmental  
25 liability claims by an environmental impairment liability insurance  
26 pool pursuant to P.L.1993, c.269 (C.40A:10-38.1 et al.), 20 years.  
27 (cf: P.L.2007, c.62, s.17) **1**<sup>1</sup>

28

29 <sup>1</sup>1. N.J.S.40A:2-22 is amended to read as follows:

30 40A:2-22. The governing body of the local unit shall determine  
31 the period of usefulness of any purpose according to its reasonable  
32 life computed from the date of the bonds, which period shall not be  
33 greater than the following:

34 a. Buildings and structures.

35 1. Bridges, including retaining walls and approaches, or  
36 permanent structures of brick, stone, concrete or metal, or similar  
37 durable construction, 30 years.

38 2. Buildings, including the original furnishings and equipment  
39 therefor:

40 Class A: A building, of which all walls, floors, partitions, stairs  
41 and roof are wholly of incombustible material, except the window  
42 frames, doors, top flooring and wooden handrails on the stairs, 40  
43 years;

44 Class B: A building, the outer walls of which are wholly of  
45 incombustible material, except the window frames and doors, 30  
46 years;

47 Class C: A building which does not meet the requirements of  
48 Class A or Class B, 20 years.

- 1       3. Buildings or structures acquired substantially reconstructed  
2 or additions thereto, one-half the period fixed in this subsection for  
3 such buildings or structures.
- 4       4. Additional furnishings, five years.
- 5       b. Marine improvements.
  - 6       1. Harbor improvements, docks or marine terminals, 40 years.
  - 7       2. Dikes, bulkheads, jetties or similar devices of stone,  
8 concrete or metal, 15 years; of wood or partly of wood, 10 years.
- 9       c. Additional equipment and machinery.
  - 10      1. Additional or replacement equipment and machinery, 15  
11 years.
  - 12      2. Voting machines, 15 years.
  - 13      3. Information technology and telecommunications equipment,  
14 7 years, except that for items with a unit cost of less than \$5,000, 5  
15 years.
- 16      d. Real property.
  - 17      1. Acquisition for any public purpose of lands or riparian  
18 rights, or both, and the original dredging, grading, draining or  
19 planting thereof, 40 years.
  - 20      2. Improvement of airport, cemetery, golf course, park,  
21 playground, 15 years.
  - 22      3. Stadia of concrete or other incombustible materials, 20  
23 years.
- 24      e. Streets or thoroughfares.
  - 25      1. Elimination of grade crossings, 35 years.
  - 26      2. Streets or roads:
    - 27       Class A: Rigid pavement. A pavement of not less than eight  
28 inches of cement concrete or a six-inch cement concrete base with  
29 not less than three-inch bituminous concrete surface course, or  
30 equivalent wearing surface, 20 years.
    - 31       Flexible pavement. A pavement not less than 10 inches in depth  
32 consisting of five-inch macadam base, three-inch modified  
33 penetration macadam and three-inch bituminous concrete surface  
34 course or other pavements of equivalent strength, in accordance  
35 with the findings of the American Association of State Highway  
36 Officials (AASHO) Road Test, 20 years.
    - 37       Class B: Mixed surface-treated road. An eight-inch surface of  
38 gravel, stone or other selected material under partial control mixed  
39 with cement or lime and fly ash, six inches in compacted thickness  
40 with bituminous surface treatment and cover, 10 years.
    - 41       Bituminous penetration road. A five-inch gravel or stone base  
42 course and a three-inch course bound with a bituminous or  
43 equivalent binder, 10 years.
    - 44       Class C: Mixed bituminous road. An eight-inch surface of  
45 gravel, stone, or other selected material under partial control mixed  
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47 five years.

- 1 Penetration macadam road. A road of sand, gravel or water-  
2 bound macadam, or surfacing with penetration macadam, five years.
- 3 3. Sidewalks, curbs and gutters of stone, concrete or brick, 10  
4 years.
- 5 The period of usefulness in this subsection shall apply to  
6 construction and reconstruction of streets and thoroughfares.
- 7 f. Utilities and municipal systems.
- 8 1. Sewerage system, whether sanitary or storm water, water  
9 supply or distribution system, 40 years.
- 10 2. Electric light, power or gas systems, garbage, refuse or ashes  
11 incinerator or disposal plant, 25 years.
- 12 3. Communication and signal systems, 10 years.
- 13 4. House connections to publicly-owned gas, water or sewerage  
14 systems from the service main in the street to the curb or property  
15 lines where not part of original installation, five years.
- 16 5. House connections to publicly-owned water systems, from  
17 the distribution main onto privately-owned real property and into  
18 the privately-owned structure, for the purpose of replacing lead-  
19 contaminated house connections, so long as the project is (a)  
20 undertaken as an environmental infrastructure project, as defined  
21 under section 3 of P.L.1985, c.334 (C.58:11B-3), and (b) funded  
22 either by loans from the New Jersey Infrastructure Bank, created  
23 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), or by loans  
24 issued through the Department of Environmental Protection, 30  
25 years.
- 26 g. Vehicles and apparatus.
- 27 1. Fire engines, apparatus and equipment, when purchased  
28 new, but not fire equipment purchased separately, 10 years.
- 29 2. Automotive vehicles, including original apparatus and  
30 equipment ( **【other than】** excluding passenger cars and station  
31 wagons that are not solely fueled by a battery or equivalent energy  
32 storage device charged from an electricity supply external to the  
33 vehicle or by a renewable power source ), when purchased new,  
34 five years.
- 35 3. Major repairs, reconditioning or overhaul of fire engines and  
36 apparatus, ambulances, rescue vehicles, and similar public safety  
37 vehicles ( **【other than】** excluding passenger cars and station wagons  
38 that are not solely fueled by a battery or equivalent energy storage  
39 device charged from an electricity supply external to the vehicle or  
40 by a renewable power source ) which may reasonably be expected  
41 to extend for at least five years the period of usefulness thereof, five  
42 years.
- 43 h. The closure of a sanitary landfill facility utilized, owned or  
44 operated by a county or municipality, 15 years; provided that the  
45 closure has been approved by the Board of Public Utilities and the  
46 Department of Environmental Protection. For the purposes of this  
47 subsection "closure" means all activities associated with the design,  
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1 Department of Environmental Protection, pursuant to law, in order  
2 to prevent, minimize or monitor pollution or health hazards  
3 resulting from sanitary landfill facilities subsequent to the  
4 termination of operations at any portion thereof, including, but not  
5 necessarily limited to, the costs of the placement of earthen or  
6 vegetative cover, and the installation of methane gas vents or  
7 monitors and leachate monitoring wells or collection systems at the  
8 site of any sanitary landfill facility.

9 i. (Deleted by amendment, P.L.2007, c.62.)

10 j. The prefunding of a claims account for environmental  
11 liability claims by an environmental impairment liability insurance  
12 pool pursuant to P.L.1993, c.269 (C.40A:10-38.1 et al.), 20 years.<sup>1</sup>  
13 (cf: P.L.2018, c.114, s.4)

14

15 2. This act shall take effect immediately.