

ASSEMBLY, No. 2292

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Assemblyman WILLIAM F. MOEN

District 5 (Camden and Gloucester)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblywomen Timberlake, Murphy and Assemblyman Benson

SYNOPSIS

Exempts customer with account for electronic toll collection system, commonly known as E-ZPass, from certain fees if motor vehicle is stolen.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/3/2020)

1 **AN ACT** concerning the electronic toll collection equipment and
2 amending P.L.1997, c.59 and P.L.2011, c.1.

3

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

6

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

9 6. As used in sections 6 through 10 of P.L.1997, c.59 (C.27:23-
10 34.1 through C.27:23-34.5) and section 3 of P.L.2011, c.1 (C.27:23-
11 34.6):

12 "Authority" means the New Jersey Turnpike Authority
13 established by section 3 of P.L.1948, c.454 (C.27:23-3).

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

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

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

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

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

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

37 "Toll collection monitoring system regulations" means the
38 regulations authorized and adopted pursuant to section 7 of
39 cf: P.L.1997, c.59 (C.27:23-34.2) that prohibit a vehicle from
40 making use of any project except upon the payment of such tolls as
41 may from time to time be prescribed by the authority and that
42 further makes it a violation subject to a civil penalty for any person
43 to refuse to pay, to evade, or to attempt to evade the payment of
44 such tolls, if the violation is recorded by a toll collection monitoring
45 system as defined in this section.

46 "Vehicle" means the term "vehicle" as defined in R.S.39:1-1.
47 (cf: P.L.2003, c.79, s.36)

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.

1 2. Section 3 of P.L.2011, c.1 (C.27:23-34.6) is amended to read
2 as follows:

3 3. a. A customer who has an account with a New Jersey
4 electronic toll collection system, subject to sections 6 through 10 of
5 P.L.1997, c.59 (C.27:23-34.1 through C.27:23-34.5), and who
6 reports in a timely manner to the operator of the electronic toll
7 collection system the loss or theft of an electronic vehicle
8 identification system transponder or the theft of a motor vehicle
9 containing the customer's electronic vehicle identification system
10 transponder shall not be liable for:

11 (1) unauthorized charges of \$50 or more incurred prior to the
12 reporting of the transponder as lost or stolen or the motor vehicle as
13 stolen; or

14 (2) unauthorized charges incurred after the reporting of the
15 transponder as lost or stolen or the motor vehicle as stolen.

16 b. When a customer reports in a timely manner to the operator
17 of the electronic toll collection system the theft of a transponder or
18 a motor vehicle containing the customer's transponder and submits
19 to the operator a copy of the police report of the theft, the customer
20 shall not be charged any fees for the stolen transponder or for a
21 replacement transponder.

22 (cf: P.L.2011, c.1, s.3)

23

24 3. Section 11 of P.L.1997, c.59 (C.27:25A-21.1) is amended to
25 read as follows:

26 11. As used in sections 11 through 15 of P.L.1997, c.59
27 (C.27:25A-21.1 through C.27:25A-21.5) and section 4 of
28 P.L.2011, c.1 (C.27:25A-21.6):

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

31 "Electronic toll collection system" means the electronic system
32 employed or utilized by the authority to register and collect the toll
33 required to be paid for a vehicle entering a toll plaza owned or
34 operated by, or upon the behalf of, the authority.

35 "Lessee" means any person, corporation, firm, partnership,
36 agency, association or organization that rents, leases or contracts for
37 the use of a vehicle and has exclusive use of the vehicle for any
38 period of time.

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

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

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

46 "Toll collection monitoring system" means a vehicle sensor,
47 placed in a location to work in conjunction with a toll collection
48 facility, that produces one or more photographs, one or more

1 microphotographs, a videotape or other recorded images, or a
2 written record, of a vehicle at the time the vehicle is used or
3 operated in a violation of the toll collection monitoring system
4 regulations. The term shall also include any other process that
5 identifies a vehicle by photographic, electronic or other method.

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

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

17
18 4. Section 4 of P.L.2011, c.1 (C.27:25A-21.6) is amended to
19 read as follows:

20 4. a. A customer who has an account with a New Jersey
21 electronic toll collection system, subject to sections 11 through 15
22 of P.L.1997, c.59 (C.27:25A-21.1 through C.27:25A-21.5), and who
23 reports in a timely manner to the operator of the electronic toll
24 collection system the loss or theft of an electronic vehicle
25 identification system transponder or the theft of a motor vehicle
26 containing the customer's electronic vehicle identification system
27 transponder shall not be liable for:

28 (1) unauthorized charges of \$50 or more incurred prior to the
29 reporting of the transponder as lost or stolen or the motor vehicle as
30 stolen; or

31 (2) unauthorized charges incurred after the reporting of the
32 transponder as lost or stolen or the motor vehicle as stolen.

33 b. When a customer reports in a timely manner to the operator
34 of the electronic toll collection system the theft of a transponder or
35 a motor vehicle containing the customer's transponder and submits
36 to the operator a copy of the police report of the theft, the customer
37 shall not be charged any fees for the stolen transponder or for a
38 replacement transponder.

39 (cf: P.L.2011, c.1, s.4)

40
41 5. This act shall take effect on the first day of the 13th month
42 following enactment.

43 44 STATEMENT

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46 This bill exempts a customer who has an account with a New
47 Jersey electronic toll collection system, commonly known as E-
48 ZPass, and reports in a timely manner the theft of a motor vehicle

1 containing the customer's electronic vehicle identification system
2 transponder (transponder) from liability for: 1) unauthorized
3 charges of \$50 or more incurred prior to reporting the motor vehicle
4 as stolen; or 2) unauthorized charges incurred after the reporting of
5 the motor vehicle as stolen. The bill prohibits a customer who
6 reports the theft of a motor vehicle containing the customer's
7 transponder in a timely manner and submits to the operator a copy
8 of the police report of the theft, from being charged any fees for the
9 stolen transponder or for a replacement transponder.

10 Under current law, a customer who has an E-ZPass account may
11 only be exempt from unauthorized charges and the replacement fees
12 for a transponder if the transponder is reported stolen or lost.

13 The bill also defines "Electronic toll collection system" as the
14 electronic system employed or utilized by the New Jersey Turnpike
15 Authority or South Jersey Transportation Authority to register and
16 collect the toll required to be paid for a vehicle entering a toll plaza
17 owned or operated by, or upon the behalf of, the New Jersey
18 Turnpike Authority or South Jersey Transportation Authority.