

ASSEMBLY, No. 2497

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

SYNOPSIS

Prohibits toll-free passage for SJTA employees, officers, and members except while commuting or carrying out official duties.

CURRENT VERSION OF TEXT

As introduced.



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

1 AN ACT concerning toll-free passage and amending P.L.1991,
2 c.252.

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

6
7 1. Section 21 of P.L.1991, c.252 (C.27:25A-21) is amended to
8 read as follows:

9 21. a. (1) Except as otherwise provided in subsection a. of
10 section 19 of **[this act]** P.L.1991, c.252 (C.27:25A-19), no vehicle
11 shall be permitted to make use of any expressway project except
12 upon the payment of the tolls as may from time to time be
13 prescribed by the authority. It shall be unlawful for any person to
14 refuse to pay, **[or]** to evade **[or]** , to attempt to evade the payment
15 of the tolls.

16 (2) The authority shall not allow for free passage of a vehicle
17 through toll gates or over toll roads operated by any past or present
18 authority employee, officer, or appointed member except when the
19 vehicle is being operated while carrying out an official duty for the
20 authority or commuting to and from the employee's or officer's
21 place of employment with the authority. In the case of employees
22 or officers employed under a collective bargaining agreement, the
23 requirements of this paragraph shall apply as those agreements are
24 renewed or renegotiated.

25 b. No vehicle shall be operated on any project carelessly or
26 recklessly, or in disregard of the rights or safety of others, or
27 without due caution or prudence, or in a manner so as to endanger
28 unreasonably or to be likely to endanger unreasonably persons or
29 property, while the operator thereof is under the influence of
30 intoxicating liquors or any narcotic or habit-forming drug, nor shall
31 any vehicle be so constructed, equipped, lacking in equipment,
32 loaded, or operated in such a condition of disrepair as to endanger
33 unreasonably or to be likely to endanger unreasonably persons or
34 property.

35 c. A person operating a vehicle on any project shall operate at a
36 careful and prudent speed, having due regard to the rights and
37 safety of others and to the traffic, surface and width of the highway,
38 and any other conditions then existing; and no person shall operate
39 a vehicle on any project at a speed as to endanger life, limb, or
40 property; except that it shall be prima facie lawful for a driver of a
41 vehicle to operate it at a speed not exceeding a speed limit, which is
42 designated by the authority as a reasonable and safe speed limit,
43 when appropriate signs giving notice of that speed limit are erected
44 at the roadside or otherwise posted for the information of operators
45 of vehicles.

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 d. No person shall operate a vehicle on any project at a slow
2 speed as to impede or block the normal and reasonable movement
3 of traffic except when reduced speed is necessary for safe operation
4 thereof.
- 5 e. No person shall operate a vehicle on any project in violation
6 of any speed limit designated by regulation adopted by the
7 authority.
- 8 f. All persons operating vehicles upon any project **【must】** shall
9 at all times comply with any lawful order, signal, or direction by
10 voice or hand of any police officer engaged in the direction of
11 traffic upon such project. When traffic on a project is controlled by
12 traffic lights, signs, or by mechanical or electrical signals, those
13 lights, signs and signals shall be obeyed unless a police officer
14 directs otherwise.
- 15 g. All persons operating vehicles upon any project, or seeking
16 to do so, **【must】** shall at all times comply with regulations, not
17 inconsistent with the other sections of **【this act】** P.L.1991, c.252
18 (C.27:25A-1 et seq.), adopted by the authority concerning types,
19 weights, and sizes of vehicles permitted to use the project, and with
20 regulations adopted by the authority for or prohibiting the parking
21 of vehicles, concerning the making of turns and the use of particular
22 traffic lanes, together with any and all other regulations adopted by
23 the authority to control traffic and prohibit acts hazardous in their
24 nature or tending to impede or block the normal and reasonable
25 flow of traffic upon the project**【;】**, except that prior to the adoption
26 of any regulation for the control of traffic on any project, including
27 the designation of any speed limits, the authority shall investigate
28 and consider the need for and desirability of the regulation for the
29 safety of persons and property, including the authority's property,
30 and the contribution which that regulation would make toward the
31 efficient and safe handling of traffic and use of the project, and
32 shall determine that the regulation is necessary or desirable to
33 accomplish the purposes or one or some of them, and that upon or
34 prior to the effective date of the regulation and during its
35 continuance, notice thereof shall be given to the drivers of vehicles
36 by appropriate signs erected at the roadside or otherwise posted.
37 The authority may adopt regulations referred to in this section in
38 accordance with the provisions hereof and in accordance with the
39 provisions of the "Administrative Procedure Act." Regulations
40 adopted by the authority pursuant to the provisions of this section
41 shall insofar as practicable, having due regard to the features of the
42 project and the characteristics of traffic thereon and except as to
43 maximum or minimum speed limits, be consistent with the
44 provisions of Title 39 of the Revised Statutes applicable to similar
45 subjects. The authority shall have power to amend, supplement, or
46 repeal any regulation adopted by it under the provisions of this
47 section. No regulation and no amendment or supplement thereto or
48 repealer thereof adopted by the authority shall take effect until it is

1 filed with the Office of Administrative Law, by the filing of a copy
2 thereof certified by the secretary of the authority.

3 h. The operator of any vehicle upon a project involved in an
4 incident resulting in injury or death to any person or damage to any
5 property shall immediately stop the vehicle at the scene of the
6 incident, render assistance as may be needed, and give **his** the
7 operator's name, the operator's address, **and** the operator's
8 license, and motor vehicle registration number to the person injured
9 and to any officer or witness of the injury and shall make a report of
10 the incident in accordance with law.

11 i. No person shall transport in or upon any expressway project,
12 any dynamite, nitroglycerin, black powder, fireworks, blasting caps
13 or other explosives, gasoline, alcohol, ether, liquid shellac,
14 kerosene, turpentine, formaldehyde or other inflammable or
15 combustible liquids, ammonium nitrate, sodium chlorate, wet hemp,
16 powdered metallic magnesium, nitro-cellulose film, peroxides or
17 other readily inflammable solids or oxidizing materials,
18 hydrochloric acid, sulfuric acid, or other corrosive liquids, prussic
19 acid, phosgene, arsenic, carbolic acid, potassium cyanide, tear gas,
20 lewisite or any other poisonous substances, liquids, or gases, or any
21 compressed gas, or any radioactive article, substance or material, at
22 a time or place or in a manner or condition as to endanger
23 unreasonably or as to be likely to endanger unreasonably persons or
24 property.

25 j. If the violation of any provision of this section or the
26 violation of any regulation adopted by the authority under the
27 provisions of this section would have been a violation of law or
28 ordinance if committed on any public road, street, or highway in the
29 municipality in which the violation occurred, it shall be tried and
30 punished in the same manner as if it had been committed in that
31 municipality.

32 k. Notwithstanding the provisions of subsection j. of this
33 section, if the violation of the provisions of subsection i. of this
34 section shall result in injury or death to a person or persons or
35 damage to property in excess of the value of \$5,000, that violation
36 shall constitute a crime of the third degree.

37 l. Except as provided in subsection j. or k. of this section, any
38 violation of any of the provisions of this section, including but not
39 limited to those regarding the payment of tolls, and any violation of
40 any regulation adopted by the authority under the provisions of this
41 section shall be punishable by a fine not exceeding \$500, or by
42 imprisonment not exceeding 30 days, or by both. A violation shall
43 be tried in a summary way and shall be within the jurisdiction of
44 and may be brought in the Special Civil Part of the Law Division of
45 the Superior Court or any municipal court in the county where the
46 offense was committed. Proceedings under this section may be
47 instituted on any day of the week, and the institution of the
48 proceedings on a Sunday or a holiday shall be no bar to the

1 successful prosecution thereof. Any process served on a Sunday, or
2 a holiday shall be as valid as if served on any other day of the week.
3 When imposing any penalty under the provisions of this subsection,
4 the court having jurisdiction shall be guided by the appropriate
5 provisions of any statute fixing uniform penalties for violation of
6 provisions of the motor vehicle and traffic laws contained in Title
7 39 of the Revised Statutes.

8 m. In any prosecution for violating a regulation of the authority
9 adopted pursuant to the provisions of this section, copies of that
10 regulation when authenticated under the seal of the authority by its
11 secretary or assistant secretary shall be evidence in like manner and
12 equal effect as the original.

13 n. No resolution or ordinance adopted by the governing body
14 of any county or municipality for the control and regulation of
15 traffic shall be applicable to vehicles while upon any expressway
16 project operated by the authority.

17 o. In addition to any punishment or penalty provided by other
18 subsections of this section, every registration certificate and every
19 license certificate to drive motor vehicles may be suspended or
20 revoked, and any person may be prohibited from obtaining a
21 driver's license or a registration certificate, and the reciprocity
22 privileges of a nonresident may be suspended or revoked by the
23 **【Director of the Division of Motor Vehicles】** Chief Administrator
24 of the New Jersey Motor Vehicle Commission for a violation of any
25 of the provisions of this section, after due notice in writing of the
26 proposed suspension, revocation, or prohibition and the ground
27 thereof, all otherwise in accordance with the powers, practice, and
28 procedure established by the provisions of Title 39 of the Revised
29 Statutes applicable to the suspension, revocation, or prohibition.

30 p. Except as otherwise provided by this section or by any
31 regulation of the authority adopted in accordance with the
32 provisions of this section, the requirements of Title 39 of the
33 Revised Statutes applicable to persons using, driving, or operating
34 vehicles on the public highways of this State and to vehicles so
35 used, driven, or operated shall be applicable to persons using,
36 driving, or operating vehicles on any expressway project and to
37 vehicles so used, driven or operated.

38 (cf: P.L.1991, c.252, s.21)

39
40 2. This act shall take effect immediately.

41
42
43 STATEMENT

44
45 This bill prohibits the South Jersey Transportation Authority
46 from allowing free passage through toll gates or over the Atlantic
47 City Expressway of a vehicle operated by any past or present
48 employee, officer, or appointed member unless the vehicle is being

1 operated to carry out an official duty for the authority or to
2 commute to and from the employee's or officer's place of
3 employment with the authority.

4 Currently, employees of the authority are given toll-free passage
5 on the Expressway for purposes relating to their employment with
6 the authority as well as for personal trips.