

SENATE, No. 1721

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

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.



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

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

3

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

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

14 (1) unauthorized charges of \$50 or more incurred prior to the
15 reporting of the transponder as lost or stolen or the motor vehicle as
16 stolen; or

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

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

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

26

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

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

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

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

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

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

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

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

1 "Toll collection monitoring system" means a vehicle sensor,
2 placed in a location to work in conjunction with a toll collection
3 facility, that produces one or more photographs, one or more
4 microphotographs, a videotape or other recorded images, or a
5 written record, of a vehicle at the time the vehicle is used or
6 operated in a violation of the toll collection monitoring system
7 regulations. The term shall also include any other process that
8 identifies a vehicle by photographic, electronic or other method.

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

18 "Vehicle" means the term "vehicle" as defined in R.S.39:1-1.
19 (cf: P.L.2003, c.79, s.46)
20

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

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

31 (1) unauthorized charges of \$50 or more incurred prior to the
32 reporting of the transponder as lost or stolen or the motor vehicle as
33 stolen; or

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

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

42 (cf: P.L.2011, c.1, s.4)
43

44 5. This act shall take effect on the first day of the 13th month
45 following enactment.

1 STATEMENT

2

3 This bill exempts a customer who has an account with a New
4 Jersey electronic toll collection system, commonly known as E-
5 ZPass, and reports in a timely manner the theft of a motor vehicle
6 containing the customer’s electronic vehicle identification system
7 transponder (transponder) from liability for: 1) unauthorized
8 charges of \$50 or more incurred prior to reporting the motor vehicle
9 as stolen; or 2) unauthorized charges incurred after the reporting of
10 the motor vehicle as stolen. The bill prohibits a customer who
11 reports the theft of a motor vehicle containing the customer’s
12 transponder in a timely manner and submits to the operator a copy
13 of the police report of the theft, from being charged any fees for the
14 stolen transponder or for a replacement transponder.

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

18 The bill also defines “Electronic toll collection system” as the
19 electronic system employed or utilized by the New Jersey Turnpike
20 Authority or South Jersey Transportation Authority to register and
21 collect the toll required to be paid for a vehicle entering a toll plaza
22 owned or operated by, or upon the behalf of, the New Jersey
23 Turnpike Authority or South Jersey Transportation Authority.