

[First Reprint]

SENATE, No. 1789

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

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District 6 (Burlington and Camden)

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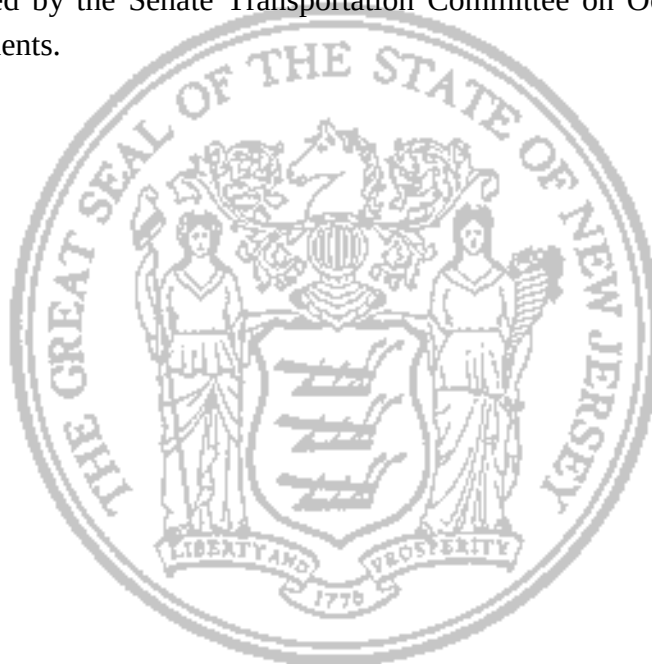
Senator Pou

SYNOPSIS

Authorizes reciprocal agreements for enforcement of toll violations with toll authorities from other states; modifies penalties for toll violations.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on October 8, 2020, with amendments.



(Sponsorship Updated As Of: 1/11/2021)

1 AN ACT concerning toll enforcement, amending various parts of the
2 statutory law, and supplementing Title 27 and Title 32 of the
3 Revised Statutes.

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

7
8 1. Section 10 of P.L.1951, c.264 (C.27:23-34) is amended to read
9 as follows:

10 10. Except as provided in sections eight and nine of this act, any
11 violation of any of the provisions hereof, including but not limited to
12 those regarding the payment of tolls, and any violation of any
13 regulation adopted by the Authority under the provisions of this act
14 shall be punishable by a fine not exceeding **five hundred dollars**
15 **(\$500) or by imprisonment not exceeding thirty days or by both such**
16 **fine and imprisonment]** \$100 for the first violation and not exceeding
17 \$600 for each subsequent violation. Such a violation shall be tried in a
18 summary way and shall be within the jurisdiction of and may be
19 brought in the Superior Court or any municipal court where the
20 offense was committed. The rules of the Supreme Court shall govern
21 the practice and procedure in such proceedings¹, except as provided
22 by any reciprocity agreement entered into by the Authority or by the
23 New Jersey Motor Vehicle Commission, on behalf of the Authority,
24 pursuant to section 4 of P.L. , c. (C.) (pending before the
25 Legislature as this bill)]¹. Proceedings under this section may be
26 instituted on any day of the week, and the institution of the
27 proceedings on a Sunday or a holiday shall be no bar to the successful
28 prosecution thereof. Any process served on a Sunday or a holiday
29 shall be as valid as if served on any other day of the week.

30 When imposing any penalty under the provisions of this section the
31 court having jurisdiction shall be guided by the appropriate provisions
32 of any statute adopted at the current session of the Legislature, or
33 hereafter, fixing uniform penalties for violation of certain provisions of
34 the motor vehicle and traffic laws contained in Title 39 of the Revised
35 Statutes.

36 (cf: P.L.2003, c.79, s.35)

37
38 2. Section 7 of P.L.1997, c.59 (C.27:23-34.2) is amended to
39 read as follows:

40 7. a. The authority may, in accordance with the
41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
42 1 et seq.), adopt toll collection monitoring system regulations. The
43 regulations shall include a procedure for processing toll violations
44 and for the treatment of inadvertent violations. **[A]** In addition to

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:

¹Senate STR committee amendments adopted October 8, 2020.

1 the penalty provided for in section 14 of P.L.1951, c.264 (C.27:23-
2 38), a person who violates the regulations shall be liable to a civil
3 penalty in an amount not to exceed \$500 to be established by the
4 authority] \$100 for the first violation and an amount not to exceed
5 \$600 for each subsequent violation. The penalty shall be enforced
6 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
7 c.274 (C.2A:58-10 et seq.).

8 b. Except as provided in subsection b. of section 8 of P.L.1997,
9 c.59 (C.27:23-34.3), an owner of a vehicle shall be jointly and
10 severally liable for the failure of an operator of the vehicle to
11 comply with the toll collection monitoring system regulations. The
12 owner of a vehicle shall be liable if such vehicle was used or
13 operated by the operator with the express or implied permission of
14 the owner when the violation of the toll collection monitoring
15 system regulations was committed, and the evidence of the violation
16 is obtained by a toll collection monitoring system. An owner of a
17 vehicle shall not be liable if the operator of the vehicle has been
18 identified and charged with a violation of section 10 of P.L.1951,
19 c.264 (C.27:23-34) for the same incident.

20 c. A toll collection monitoring system acquired or operated by,
21 or under contract to, the authority shall be so designed that it does
22 not produce one or more photographs, microphotographs, a
23 videotape, or other recorded image or images of the face of the
24 operator or any passenger in a motor vehicle.
25 (cf: P.L.2003, c.79, s.37)

26
27 3. Section 14 of P.L.1951, c.264 (C.27:23-38) is amended to read
28 as follows:

29 14. In addition to any punishment or penalty provided by other
30 sections of this act, sections 7 and 8 of P.L.1997, c.59 (C.27:23-34.2
31 and C.27:23-34.3), or any other law, rule, regulation, or order of
32 another state or tolling entity with which the authority or the '1[New
33 Jersey Motor Vehicle Commission] Department of Transportation',
34 on behalf of the authority, has entered into a reciprocity agreement
35 pursuant to section 4 of P.L. , c. (C.) (pending before the
36 Legislature as this bill), every registration certificate and every license
37 certificate to drive motor vehicles may be suspended or revoked and
38 any person may be prohibited from obtaining a driver's license or a
39 registration certificate and the reciprocity privileges of a nonresident
40 may be suspended or revoked by the [Director of the Division of
41 Motor Vehicles] Chief Administrator of the New Jersey Motor
42 Vehicle Commission for a violation of any of the provisions of this
43 act, after due notice in writing of such proposed suspension,
44 revocation, or prohibition and the ground thereof and after the
45 opportunity to be heard in an administrative proceeding, and otherwise
46 in accordance with the powers, practice, and procedure established by

1 those provisions of Title 39 of the Revised Statutes applicable to such
2 suspension, revocation, or prohibition.

3 In addition to any punishment or penalty provided by P.L.1951,
4 c.264 (C.27:23-25 et seq.) and sections 7 and 8 of P.L.1997, c.59
5 (C.27:23-34.2 and C.27:23-34.3), the authority or the ¹【New Jersey
6 Motor Vehicle Commission】 Department of Transportation¹ may
7 collect the civil penalties and tolls imposed by an out-of-state tolling
8 entity if the authority or the ¹【New Jersey Motor Vehicle
9 Commission】 department¹, on behalf of the authority, has entered into
10 a reciprocity agreement pursuant to section 4 of
11 P.L. , c. (C.) (pending before the Legislature as this bill).
12 (cf: P.L.1951, c.264, s.14)

13
14 4. (New section) The authority or the ¹【New Jersey Motor
15 Vehicle Commission】 Department of Transportation¹ may collect the
16 civil penalties and tolls imposed by an out-of-state tolling entity if the
17 authority, or the ¹【New Jersey Motor Vehicle Commission】
18 department¹ on behalf of the authority, has entered into a reciprocity
19 agreement with the out-of-state tolling entity or the other state in
20 which the out-of-state tolling entity is located that confirms the
21 following:

22 a. The other state or out-of-state tolling entity has its own
23 reciprocal procedure for collecting penalties and tolls of the authority
24 by employing sanctions that include denial of a person's ability to
25 obtain a registration certificate for a motor vehicle;

26 b. The penalties, exclusive of tolls, claimed by the other state or
27 out-of-state tolling entity against the owner of a motor vehicle
28 registered in this State does not exceed \$100 for the first violation or
29 \$600 for each subsequent violation;

30 c. The other state or tolling entity provides due process and
31 appeal protections to avoid the likelihood that a false, mistaken, or
32 unjustified claim will be pursued against an owner of a motor vehicle
33 registered in this State;

34 d. An owner of a motor vehicle registered in this State may
35 present evidence to the other state or tolling entity by mail, telephone,
36 or electronic means or in-person in an administrative proceeding
37 before the ¹【New Jersey Motor Vehicle Commission】 Department of
38 Transportation¹ to invoke the owner's rights to due process, without
39 having to appear personally in the jurisdiction where the violation is
40 alleged to have occurred; and

41 e. The parties to the reciprocity agreement each may charge the
42 other party a fee sufficient for each party to recoup the costs of
43 collection services, including costs incurred by the ¹【New Jersey
44 Motor Vehicle Commission】 Department of Transportation¹ or the
45 agency that registers motor vehicles in the other state.

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

3 21. a. Except as otherwise provided in subsection a. of section 19
4 of **【this act】** P.L.1991, c.252 (C.27:25A-19), no vehicle shall be
5 permitted to make use of any expressway project except upon the
6 payment of the tolls as may from time to time be prescribed by the
7 authority. It shall be unlawful for any person to refuse to pay, or to
8 evade or to attempt to evade the payment of the tolls.

9 b. No vehicle shall be operated on any project carelessly or
10 recklessly, or in disregard of the rights or safety of others, or without
11 due caution or prudence, or in a manner so as to endanger
12 unreasonably or to be likely to endanger unreasonably persons or
13 property, while the operator thereof is under the influence of
14 intoxicating liquors or any narcotic or habit-forming drug, nor shall
15 any vehicle be so constructed, equipped, lacking in equipment, loaded,
16 or operated in such a condition of disrepair as to endanger
17 unreasonably or to be likely to endanger unreasonably persons or
18 property.

19 c. A person operating a vehicle on any project shall operate at a
20 careful and prudent speed, having due regard to the rights and safety of
21 others and to the traffic, surface and width of the highway, and any
22 other conditions then existing; and no person shall operate a vehicle on
23 any project at a speed as to endanger life, limb, or property; except that
24 it shall be prima facie lawful for a driver of a vehicle to operate it at a
25 speed not exceeding a speed limit which is designated by the authority
26 as a reasonable and safe speed limit, when appropriate signs giving
27 notice of that speed limit are erected at the roadside or otherwise
28 posted for the information of operators of vehicles.

29 d. No person shall operate a vehicle on any project at a slow
30 speed as to impede or block the normal and reasonable movement of
31 traffic except when reduced speed is necessary for safe operation
32 thereof.

33 e. No person shall operate a vehicle on any project in violation of
34 any speed limit designated by regulation adopted by the authority.

35 f. All persons operating vehicles upon any project **【must】** shall at
36 all times comply with any lawful order, signal, or direction by voice or
37 hand of any police officer engaged in the direction of traffic upon such
38 project. When traffic on a project is controlled by traffic lights, signs,
39 or by mechanical or electrical signals, those lights, signs, and signals
40 shall be obeyed unless a police officer directs otherwise.

41 g. All persons operating vehicles upon any project, or seeking to
42 do so, **【must】** shall at all times comply with regulations, not
43 inconsistent with the other sections of this act, adopted by the authority
44 concerning types, weights, and sizes of vehicles permitted to use the
45 project, and with regulations adopted by the authority for or
46 prohibiting the parking of vehicles, concerning the making of turns
47 and the use of particular traffic lanes, together with any and all other
48 regulations adopted by the authority to control traffic and prohibit acts

1 hazardous in their nature or tending to impede or block the normal and
2 reasonable flow of traffic upon the project; except that prior to the
3 adoption of any regulation for the control of traffic on any project,
4 including the designation of any speed limits, the authority shall
5 investigate and consider the need for and desirability of the regulation
6 for the safety of persons and property, including the authority's
7 property, and the contribution which that regulation would make
8 toward the efficient and safe handling of traffic and use of the project,
9 and shall determine that the regulation is necessary or desirable to
10 accomplish the purposes or one or some of them, and that upon or
11 prior to the effective date of the regulation and during its continuance,
12 notice thereof shall be given to the drivers of vehicles by appropriate
13 signs erected at the roadside or otherwise posted. The authority may
14 adopt regulations referred to in this section in accordance with the
15 provisions hereof and in accordance with the provisions of the
16 "Administrative Procedure Act." Regulations adopted by the authority
17 pursuant to the provisions of this section shall insofar as practicable,
18 having due regard to the features of the project and the characteristics
19 of traffic thereon and except as to maximum or minimum speed limits,
20 be consistent with the provisions of Title 39 of the Revised Statutes
21 applicable to similar subjects. The authority shall have power to
22 amend, supplement, or repeal any regulation adopted by it under the
23 provisions of this section. No regulation and no amendment,
24 supplement thereto, or repealer thereof adopted by the authority shall
25 take effect until it is filed with the Office of Administrative Law, by
26 the filing of a copy thereof certified by the secretary of the authority.

27 h. The operator of any vehicle upon a project involved in an
28 incident resulting in injury or death to any person or damage to any
29 property shall immediately stop the vehicle at the scene of the incident,
30 render assistance as may be needed, and give his name, address, and
31 operator's license and motor vehicle registration number to the person
32 injured and to any officer or witness of the injury and shall make a
33 report of the incident in accordance with law.

34 i. No person shall transport in or upon any expressway project,
35 any dynamite, nitroglycerin, black powder, fireworks, blasting caps, or
36 other explosives, gasoline, alcohol, ether, liquid shellac, kerosene,
37 turpentine, formaldehyde, or other inflammable or combustible liquids,
38 ammonium nitrate, sodium chlorate, wet hemp, powdered metallic
39 magnesium, nitro-cellulose film, peroxides, or other readily
40 inflammable solids or oxidizing materials, hydrochloric acid, sulfuric
41 acid, or other corrosive liquids, prussic acid, phosgene, arsenic,
42 carbolic acid, potassium cyanide, tear gas, lewisite, or any other
43 poisonous substances, liquids, or gases, or any compressed gas, or any
44 radioactive article, substance, or material, at a time or place or in a
45 manner or condition as to endanger unreasonably or as to be likely to
46 endanger unreasonably persons or property.

47 j. If the violation of any provision of this section or the violation
48 of any regulation adopted by the authority under the provisions of this

1 section would have been a violation of law or ordinance if committed
2 on any public road, street, or highway in the municipality in which the
3 violation occurred, it shall be tried and punished in the same manner as
4 if it had been committed in that municipality.

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

10 l. Except as provided in subsection j. or k. of this section, any
11 violation of any of the provisions of this section, including but not
12 limited to those regarding the payment of tolls, and any violation of
13 any regulation adopted by the authority under the provisions of this
14 section shall be punishable by a fine not exceeding ~~【\$500 or by~~
15 ~~imprisonment not exceeding 30 days or by both】~~ \$100 for the first
16 violation and not exceeding \$600 for each subsequent violation. A
17 violation shall be tried in a summary way and shall be within the
18 jurisdiction of and may be brought in the Special Civil Part of the Law
19 Division of the Superior Court or any municipal court in the county
20 where the offense was committed. ¹~~【The rules of the Supreme Court~~
21 ~~shall govern the practice and procedure in such proceedings, except as~~
22 ~~provided by any reciprocity agreement entered into by the authority or~~
23 ~~by the New Jersey Motor Vehicle Commission, on behalf of the~~
24 ~~authority, pursuant to section 7 of P.L. , c. (C.) (pending~~
25 ~~before the Legislature as this bill).】~~¹ Proceedings under this section
26 may be instituted on any day of the week, and the institution of the
27 proceedings on a Sunday or a holiday shall be no bar to the successful
28 prosecution thereof. Any process served on a Sunday, or a holiday
29 shall be as valid as if served on any other day of the week. When
30 imposing any penalty under the provisions of this subsection the court
31 having jurisdiction shall be guided by the appropriate provisions of
32 any statute fixing uniform penalties for violation of provisions of the
33 motor vehicle and traffic laws contained in Title 39 of the Revised
34 Statutes.

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

40 n. No resolution or ordinance adopted by the governing body of
41 any county or municipality for the control and regulation of traffic
42 shall be applicable to vehicles while upon any expressway project
43 operated by the authority.

44 o. In addition to any punishment or penalty provided by other
45 subsections of this section, sections 12 and 13 of P.L.1997, c.59
46 (C.27:25A-21.2 and C.27:25A-21.3), or any other law, rule, regulation,
47 or order of another state or tolling entity with which the authority or

1 the '[New Jersey Motor Vehicle Commission] Department of
2 Transportation', on behalf of the authority, has entered into a
3 reciprocity agreement pursuant to section 7 of P.L. , c. (C.)
4 (pending before the Legislature as this bill), every registration
5 certificate and every license certificate to drive motor vehicles may be
6 suspended or revoked and any person may be prohibited from
7 obtaining a driver's license or a registration certificate and the
8 reciprocity privileges of a nonresident may be suspended or revoked
9 by the [Director of the Division of Motor Vehicles] Chief
10 Administrator of the New Jersey Motor Vehicle Commission for a
11 violation of any of the provisions of this section, after due notice in
12 writing of the proposed suspension, revocation, or prohibition and the
13 ground thereof and after the opportunity to be heard during an
14 administrative proceeding, all otherwise in accordance with the
15 powers, practice, and procedure established by the provisions of Title
16 39 of the Revised Statutes applicable to the suspension, revocation, or
17 prohibition.

18 In addition to any punishment or penalty provided by this section
19 and sections 12 and 13 of P.L.1997, c.59 (C.27:25A-21.2 and
20 C.27:25A-21.3), the authority or the '[New Jersey Motor Vehicle
21 Commission] Department of Transportation' may collect the civil
22 penalties and tolls imposed by an out-of-state tolling entity if the
23 authority or the '[New Jersey Motor Vehicle Commission]
24 department', on behalf of the authority, has entered into a reciprocity
25 agreement pursuant to section 7 of P.L. , c. (C.) (pending
26 before the Legislature as this bill).

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

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

36
37 6. Section 12 of P.L.1997, c.59 (C.27:25A-21.2) is amended to
38 read as follows:

39 12. a. The authority may, in accordance with the
40 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
41 seq.), adopt toll collection monitoring system regulations. The
42 regulations shall include a procedure for processing toll violations
43 and for the treatment of inadvertent violations. **[A]** In addition to
44 the penalty provided for in subsection o. of section 21 of P.L.1991,
45 c.252 (C.27:25A-21), a person who violates the regulations shall be
46 liable to a civil penalty in an amount not to exceed [\$500 to be
47 established by the authority] \$100 for the first violation and an

1 amount not to exceed \$600 for each subsequent violation. The
2 penalty shall be enforced pursuant to the "Penalty Enforcement Law
3 of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

4 b. Except as provided in subsection b. of section 13 of
5 P.L.1997, c.59 (C.27:25A-21.3), an owner of a vehicle shall be
6 jointly and severally liable for the failure of an operator of the
7 vehicle to comply with the toll collection monitoring system
8 regulations. The owner of a vehicle shall be liable if such vehicle
9 was used or operated by the operator with the express or implied
10 permission of the owner when the violation of the toll collection
11 monitoring system regulations was committed, and the evidence of
12 the violation is obtained by a toll collection monitoring system. An
13 owner of a vehicle shall not be liable if the operator of the vehicle
14 has been identified and charged with a violation of section 21 of
15 P.L.1991, c.252 (C.27:25A-21) for the same incident.

16 c. A toll collection monitoring system acquired or operated by,
17 or under contract to, the authority shall be so designed that it does
18 not produce one or more photographs, microphotographs, a
19 videotape, or other recorded image or images of the face of the
20 operator or any passenger in a motor vehicle.

21 (cf: P.L.2003, c.79, s.47)

22
23 7. (New section) The authority or the ¹**【New Jersey Motor**
24 **Vehicle Commission】** Department of Transportation¹ may collect the
25 civil penalties and tolls imposed by an out-of-state tolling entity if the
26 authority, or the ¹**【New Jersey Motor Vehicle Commission】**
27 department¹ on behalf of the authority, has entered into a reciprocity
28 agreement with the out-of-state tolling entity or the other state in
29 which the out-of-state tolling entity is located that confirms the
30 following:

31 a. The other state or out-of-state tolling entity has its own
32 reciprocal procedure for collecting penalties and tolls of the authority
33 by employing sanctions that include denial of a person's ability to
34 obtain a registration certificate for a motor vehicle;

35 b. The penalties, exclusive of tolls, claimed by the other state or
36 out-of-state tolling entity against the owner of a motor vehicle
37 registered in this State does not exceed \$100 for the first violation or
38 \$600 for each subsequent violation;

39 c. The other state or tolling entity provides due process and
40 appeal protections to avoid the likelihood that a false, mistaken, or
41 unjustified claim will be pursued against an owner of a motor vehicle
42 registered in this State;

43 d. An owner of a motor vehicle registered in this State may
44 present evidence to the other state or tolling entity by mail, telephone,
45 or electronic means or in-person in an administrative proceeding
46 before the ¹**【New Jersey Motor Vehicle Commission】** Department of
47 Transportation¹ to invoke the owner's rights to due process, without

1 having to appear personally in the jurisdiction where the violation is
2 alleged to have occurred; and

3 e. The parties to the reciprocity agreement each may charge the
4 other party a fee sufficient for each party to recoup the costs of
5 collection services, including costs incurred by the ¹【New Jersey
6 Motor Vehicle Commission】 Department of Transportation¹ or the
7 agency that registers motor vehicles in the other state.
8

9 8. (New section) a. The Governor is authorized to enter into a
10 supplemental compact or agreement, on behalf of the State of New
11 Jersey, with the State of New York supplementing the compact of
12 April 30, 1921, between the states of New York and New Jersey, as
13 amended and supplemented, creating the Port Authority of New
14 York and New Jersey, as set forth in sections 9 and 10 of
15 P.L. , c. (C.) (pending before the legislature as this bill).

16 b. The Governor is authorized to apply, on behalf of the State
17 of New Jersey, to the Congress of the United States for its consent
18 and approval to the amendments to this compact or agreement
19 provided in sections 9 and 10 of P.L. , c. (C.) (pending
20 before the Legislature as this bill), but in the absence of such
21 consent and approval, the Port Authority of New York and New
22 Jersey referred to in such supplemental compact or agreement shall
23 have all of the powers which the State of New York and the State of
24 New Jersey may confer upon it without the consent and approval of
25 Congress.
26

27 9. (New section) In addition to any punishment or penalty
28 provided by any law of the State of New Jersey or the State of New
29 York concerning the nonpayment of tolls to the port authority, any
30 rule, regulation, or order of the port authority concerning the
31 nonpayment of tolls, or any other law, rule, regulation, or order of
32 another state or tolling entity with which the port authority, or the
33 New Jersey ¹【Motor Vehicle Commission】 Department of
34 Transportation¹ or the New York State Department of Motor
35 Vehicles on behalf of the port authority, has entered into a
36 reciprocity agreement, any motor vehicle registration certificate
37 may be suspended or revoked and any person may be prohibited
38 from obtaining a motor vehicle registration certificate by the Chief
39 Administrator of the New Jersey Motor Vehicle Commission or the
40 Commissioner of the New York State Department of Motor
41 Vehicles for the nonpayment of tolls to the port authority, after due
42 notice in writing of such proposed suspension, revocation, or
43 prohibition and the ground thereof and after the opportunity to be
44 heard in an administrative proceeding.
45

46 10. (New section) The port authority, or the New Jersey
47 ¹【Motor Vehicle Commission】 Department of Transportation¹ or the

1 New York State Department of Motor Vehicles on behalf of the port
2 authority, may collect the civil penalties and tolls imposed by an out-
3 of-state tolling entity if the port authority, or the New Jersey ¹["Motor
4 Vehicle Commission"] Department of Transportation¹ or the New
5 York State Department of Motor Vehicles on behalf of the port
6 authority, has entered into a reciprocity agreement with the out-of-state
7 tolling entity or the other state in which the out-of-state tolling entity is
8 located that confirms the following:

9 a. The other state or out-of-state tolling entity has its own
10 reciprocal procedure for collecting penalties and tolls of the port
11 authority by employing sanctions that include denial of a person's
12 ability to obtain a registration certificate for a motor vehicle;

13 b. The penalties, exclusive of tolls, claimed by the other state or
14 out-of-state tolling entity against the owner of a motor vehicle
15 registered in New York or New Jersey does not exceed \$100 for the
16 first violation or \$600 for each subsequent violation;

17 c. The other state or tolling entity provides due process and
18 appeal protections to avoid the likelihood that a false, mistaken, or
19 unjustified claim will be pursued against an owner of a motor vehicle
20 registered in New York or New Jersey;

21 d. An owner of a motor vehicle registered in New York or New
22 Jersey may present evidence to the other state or tolling entity by mail,
23 telephone, or electronic means to invoke the owner's rights to due
24 process, without having to appear personally in the jurisdiction where
25 the violation is alleged to have occurred or an owner of a motor
26 vehicle registered in New Jersey may present evidence in-person in an
27 administrative proceeding before the New Jersey ¹["Motor Vehicle
28 Commission"] Department of Transportation¹ to invoke the owner's
29 rights to due process, without having to appear personally in the
30 jurisdiction where the violation is alleged to have occurred; and

31 e. The parties to the reciprocity agreement each may charge the
32 other party a fee sufficient for each party to recoup the costs of
33 collection services, including costs incurred by the New Jersey
34 ¹["Motor Vehicle Commission"] Department of Transportation¹, the
35 New York State Department of Motor Vehicles, or the agency that
36 registers motor vehicles in the other state.

37
38 11. (New section) a. The Governor is authorized to enter
39 into a supplemental compact or agreement, on behalf of the State of
40 New Jersey, with the Commonwealth of Pennsylvania
41 supplementing the compact or agreement between the
42 Commonwealth of Pennsylvania and the State of New Jersey
43 entitled "Agreement Between the Commonwealth of Pennsylvania
44 and the State of New Jersey creating the Delaware River Joint
45 Commission as a body corporate and politic and defining its powers
46 and duties," as set forth in sections 12 and 13 of P.L. , c. (C.)
47 (pending before the Legislature as this bill.

1 b. The Governor is authorized to apply, on behalf of the State
2 of New Jersey, to the Congress of the United States for its consent
3 and approval to the amendments to this compact or agreement
4 provided in sections 12 and 13 of P.L. , c. (C.) (pending
5 before the Legislature as this bill), but in the absence of such
6 consent and approval, the Delaware River Port Authority shall have
7 all of the powers which the Commonwealth of Pennsylvania and the
8 State of New Jersey may confer upon it without the consent and
9 approval of Congress.

10
11 12. (New section) In addition to any punishment or penalty
12 provided by any law of the State of New Jersey or the
13 Commonwealth of Pennsylvania concerning the nonpayment of
14 tolls to the port authority, any rule, regulation, or order of the port
15 authority concerning the nonpayment of tolls, or any other law,
16 rule, regulation, or order of another state or tolling entity with
17 which the port authority, or the New Jersey ¹Motor Vehicle
18 Commission ¹Department of Transportation¹ or the Pennsylvania
19 Department of Transportation on behalf of the port authority, has
20 entered into a reciprocity agreement, any motor vehicle registration
21 certificate may be suspended or revoked and any person may be
22 prohibited from obtaining a motor vehicle registration certificate by
23 the Chief Administrator of the New Jersey Motor Vehicle
24 Commission or the Secretary of the Pennsylvania Department of
25 Transportation for a violation of any law, rule, regulation, or order
26 governing the nonpayment of tolls to the port authority, after due
27 notice in writing of such proposed suspension, revocation, or
28 prohibition and the ground thereof and after the opportunity to be
29 heard in an administrative proceeding.

30
31 13. (New section) The port authority, or the New Jersey
32 ¹Motor Vehicle Commission ¹Department of Transportation¹ or the
33 Pennsylvania Department of Transportation on behalf of the port
34 authority, may collect the civil penalties and tolls imposed by an out-
35 of-state tolling entity if the port authority, or the New Jersey ¹Motor
36 Vehicle Commission ¹Department of Transportation¹ or the
37 Pennsylvania Department of Transportation on behalf of the port
38 authority, has entered into a reciprocity agreement with the out-of-state
39 tolling entity or the other state in which the out-of-state tolling entity is
40 located that confirms the following:

41 a. The other state or out-of-state tolling entity has its own
42 reciprocal procedure for collecting penalties and tolls of the port
43 authority by employing sanctions that include denial of a person's
44 ability to obtain a registration certificate for a motor vehicle;

45 b. The penalties, exclusive of tolls, claimed by the other state or
46 out-of-state tolling entity against the owner of a motor vehicle

1 registered in New Jersey or Pennsylvania does not exceed \$100 for the
2 first violation or \$600 for each subsequent violation;

3 c. The other state or tolling entity provides due process and
4 appeal protections to avoid the likelihood that a false, mistaken, or
5 unjustified claim will be pursued against an owner of a motor vehicle
6 registered in New Jersey or Pennsylvania;

7 d. An owner of a motor vehicle registered in New Jersey or
8 Pennsylvania may present evidence to the other state or tolling entity
9 by mail, telephone, or electronic means to invoke the owner's rights to
10 due process, without having to appear personally in the jurisdiction
11 where the violation is alleged to have occurred or an owner of a motor
12 vehicle registered in New Jersey may present evidence in-person in an
13 administrative proceeding before the New Jersey ¹["Motor Vehicle
14 Commission"] Department of Transportation¹ to invoke the owner's
15 rights to due process, without having to appear personally in the
16 jurisdiction where the violation is alleged to have occurred; and

17 e. The parties to the reciprocity agreement each may charge the
18 other party a fee sufficient for each party to recoup the costs of
19 collection services, including costs incurred by the New Jersey
20 ¹["Motor Vehicle Commission"] Department of Transportation¹, the
21 Pennsylvania Department of Transportation, or the agency that
22 registers motor vehicles in the other state.

23
24 ¹14. (New section) a. The Governor is authorized to enter into
25 a supplemental compact or agreement, on behalf of the State of New
26 Jersey, with the Commonwealth of Pennsylvania supplementing the
27 compact or agreement between the Commonwealth of Pennsylvania
28 and the State of New Jersey entitled "Agreement Between the State of
29 New Jersey and the Commonwealth of Pennsylvania creating the
30 Delaware River Joint Toll Bridge Commission as a body corporate and
31 politic and defining its powers and duties," as set forth in sections 15
32 and 16 of P.L. , c. (C.) (pending before the Legislature as this
33 bill.

34 b. The Governor is authorized to apply, on behalf of the State of
35 New Jersey, to the Congress of the United States for its consent and
36 approval to the amendments to this compact or agreement provided in
37 sections 15 and 16 of P.L. , c. (C.) (pending before the
38 Legislatre as this bill), but in the absence of such consent and
39 approval, the Delaware River Joint Toll Bridge Commission shall have
40 all of the powers which the Commonwealth of Pennsylvania and the
41 State of New Jersey may confer upon it without the consent and
42 approval of Congress.¹

43
44 ¹15. (New section) In addition to any punishment or penalty
45 provided by any law of the State of New Jersey or the Commonwealth
46 of Pennsylvania concerning the nonpayment of tolls to the
47 commission, any rule, regulation, or order of the commission

1 concerning the nonpayment of tolls, or any other law, rule, regulation,
2 or order of another state or tolling entity with which the commission,
3 or the New Jersey Department of Transportation or the Pennsylvania
4 Department of Transportation on behalf of the commission, has
5 entered into a reciprocity agreement, any motor vehicle registration
6 certificate may be suspended or revoked and any person may be
7 prohibited from obtaining a motor vehicle registration certificate by
8 the Chief Administrator of the New Jersey Motor Vehicle Commission
9 or the Secretary of the Pennsylvania Department of Transportation for
10 a violation of any law, rule, regulation, or order governing the
11 nonpayment of tolls to the commission, after due notice in writing of
12 such proposed suspension, revocation, or prohibition and the ground
13 thereof and after the opportunity to be heard in an administrative
14 proceeding.¹

15
16 ¹16. (New section) The commission, or the New Jersey
17 Department of Transportation or the Pennsylvania Department of
18 Transportation on behalf of the commission, may collect the civil
19 penalties and tolls imposed by an out-of-state tolling entity if the
20 commission, or the New Jersey Department of Transportation or the
21 Pennsylvania Department of Transportation on behalf of the
22 commission, has entered into a reciprocity agreement with the out-of-
23 state tolling entity or the other state in which the out-of-state tolling
24 entity is located that confirms the following:

25 a. The other state or out-of-state tolling entity has its own
26 reciprocal procedure for collecting penalties and tolls of the
27 commission by employing sanctions that include denial of a person's
28 ability to obtain a registration certificate for a motor vehicle;

29 b. The penalties, exclusive of tolls, claimed by the other state or
30 out-of-state tolling entity against the owner of a motor vehicle
31 registered in New Jersey or Pennsylvania does not exceed \$100 for the
32 first violation or \$600 for each subsequent violation;

33 c. The other state or tolling entity provides due process and
34 appeal protections to avoid the likelihood that a false, mistaken, or
35 unjustified claim will be pursued against an owner of a motor vehicle
36 registered in New Jersey or Pennsylvania;

37 d. An owner of a motor vehicle registered in New Jersey or
38 Pennsylvania may present evidence to the other state or tolling entity
39 by mail, telephone, or electronic means to invoke the owner's rights to
40 due process, without having to appear personally in the jurisdiction
41 where the violation is alleged to have occurred or an owner of a motor
42 vehicle registered in New Jersey may present evidence in-person in an
43 administrative proceeding before the New Jersey Department of
44 Transportation to invoke the owner's rights to due process, without
45 having to appear personally in the jurisdiction where the violation is
46 alleged to have occurred; and

47 e. The parties to the reciprocity agreement each may charge the
48 other party a fee sufficient for each party to recoup the costs of

1 collection services, including costs incurred by the New Jersey
2 Department of Transportation, the Pennsylvania Department of
3 Transportation, or the agency that registers motor vehicles in the other
4 state.¹

5
6 ¹**14.** ¹17. (New section) a. The Governor is authorized to enter
7 into a supplemental compact or agreement, on behalf of the State of
8 New Jersey, with the State of Delaware supplementing the compact or
9 agreement between the State of Delaware and the State of New Jersey
10 known as the “Delaware-New Jersey Compact,” as set forth in sections
11 ¹**15.** ¹18. and ¹**16.** ¹19. of P.L. , c. (C.) (pending before the
12 Legislature as this bill).

13 b. The Governor is hereby authorized to apply on behalf of the
14 State of New Jersey to the Congress of the United States for its
15 consent and approval to the amendments to this compact or agreement
16 provided in sections ¹**15.** ¹18. and ¹**16.** ¹19. of P.L. , c. (C.)
17 (pending before the Legislature as this bill), but in the absence of such
18 consent and approval, the Delaware River and Bay Authority shall
19 have all the powers the State of Delaware and the State of New Jersey
20 may confer upon it without the consent and approval of Congress.

21
22 ¹**15.** ¹18. (New section) In addition to any punishment or
23 penalty provided by any law of the State of New Jersey or the State
24 of Delaware concerning the nonpayment of tolls to the authority,
25 any rule, regulation, or order of the authority concerning the
26 nonpayment of tolls, or any other law, rule, regulation, or order of
27 another state or tolling entity with which the authority, or the New
28 Jersey ¹**Motor Vehicle Commission** Department of
29 Transportation¹ or the Delaware Division of Motor Vehicles on
30 behalf of the authority, has entered into a reciprocity agreement,
31 any motor vehicle registration certificate may be suspended or
32 revoked and any person may be prohibited from obtaining a motor
33 vehicle registration certificate by the Chief Administrator of the
34 New Jersey Motor Vehicle Commission or the Director of the
35 Delaware Division of Motor Vehicles for a violation of any law,
36 rule, regulation, or order governing the nonpayment of tolls to the
37 authority, after due notice in writing of such proposed suspension,
38 revocation, or prohibition and the ground thereof and after the
39 opportunity to be heard in an administrative proceeding.

40
41 ¹**16.** ¹19. (New section) The authority, or the New Jersey
42 ¹**Motor Vehicle Commission** Department of Transportation¹ or the
43 Delaware Division of Motor Vehicles on behalf of the authority, may
44 collect the civil penalties and tolls imposed by an out-of-state tolling
45 entity if the authority, or the New Jersey ¹**Motor Vehicle**
46 **Commission** Department of Transportation¹ or the Delaware Division
47 of Motor Vehicles on behalf of the authority, has entered into a

1 reciprocity agreement with the out-of-state tolling entity or the other
2 state in which the out-of-state tolling entity is located that confirms the
3 following:

4 a. The other state or out-of-state tolling entity has its own
5 reciprocal procedure for collecting penalties and tolls of the authority
6 by employing sanctions that include denial of a person's ability to
7 obtain a registration certificate for a motor vehicle;

8 b. The penalties, exclusive of tolls, claimed by the other state or
9 out-of-state tolling entity against the owner of a motor vehicle
10 registered in New Jersey or Delaware does not exceed \$100 for the
11 first violation or \$600 for each subsequent violation;

12 c. The other state or tolling entity provides due process and
13 appeal protections to avoid the likelihood that a false, mistaken, or
14 unjustified claim will be pursued against an owner of a motor vehicle
15 registered in New Jersey or Delaware;

16 d. An owner of a motor vehicle registered in New Jersey or
17 Delaware may present evidence to the other state or tolling entity by
18 mail, telephone, or electronic means to invoke the owner's rights to
19 due process, without having to appear personally in the jurisdiction
20 where the violation is alleged to have occurred or an owner of a motor
21 vehicle registered in New Jersey may present evidence in-person in an
22 administrative proceeding before the New Jersey ¹["Motor Vehicle
23 Commission"] Department of Transportation¹ to invoke the owner's
24 rights to due process, without having to appear personally in the
25 jurisdiction where the violation is alleged to have occurred; and

26 e. The parties to the reciprocity agreement each may charge the
27 other party a fee sufficient for each party to recoup the costs of
28 collection services, including costs incurred by the New Jersey
29 ¹["Motor Vehicle Commission"] Department of Transportation¹, the
30 Delaware Division of Motor Vehicles, or the agency that registers
31 motor vehicles in the other state.

32
33 ¹20. (New section) In addition to any punishment or penalty
34 provided by law, or any other law, rule, regulation, or order of another
35 state or tolling entity with which a county bridge commission or the
36 Department of Transportation, on behalf of a county bridge
37 commission, has entered into a reciprocity agreement pursuant to
38 section 21 of P.L. , c. (C.) (pending before the Legislature as
39 this bill), every registration certificate and every license certificate to
40 drive motor vehicles may be suspended or revoked and any person
41 may be prohibited from obtaining a driver's license or a registration
42 certificate and the reciprocity privileges of a nonresident may be
43 suspended or revoked by the Chief Administrator of the New Jersey
44 Motor Vehicle Commission for failure to pay a toll of the county
45 bridge commission, after due notice in writing of such proposed
46 suspension, revocation, or prohibition and the ground thereof and after
47 the opportunity to be heard in an administrative proceeding, and
48 otherwise in accordance with the powers, practice, and procedure

1 established by those provisions of Title 39 of the Revised Statutes
2 applicable to such suspension, revocation, or prohibition.

3 In addition to any punishment or penalty provided by law the
4 county bridge commission or the Department of Transportation may
5 collect the civil penalties and tolls imposed by an out-of-state tolling
6 entity if the county bridge commission or the department, on behalf of
7 the county bridge commission, has entered into a reciprocity
8 agreement pursuant to section 21 of P.L. , c. (C.) (pending
9 before the Legislature as this bill).¹

10
11 ¹21. (New section) A county bridge commission or the
12 Department of Transportation may collect the civil penalties and tolls
13 imposed by an out-of-state tolling entity if the county bridge
14 commission, or the department on behalf of the county bridge
15 commission, has entered into a reciprocity agreement with the out-of-
16 state tolling entity or the other state in which the out-of-state tolling
17 entity is located that confirms the following:

18 a. The other state or out-of-state tolling entity has its own
19 reciprocal procedure for collecting penalties and tolls of the
20 commission by employing sanctions that include denial of a person's
21 ability to obtain a registration certificate for a motor vehicle;

22 b. The penalties, exclusive of tolls, claimed by the other state or
23 out-of-state tolling entity against the owner of a motor vehicle
24 registered in this State does not exceed \$100 for the first violation or
25 \$600 for each subsequent violation;

26 c. The other state or tolling entity provides due process and
27 appeal protections to avoid the likelihood that a false, mistaken, or
28 unjustified claim will be pursued against an owner of a motor vehicle
29 registered in this State;

30 d. An owner of a motor vehicle registered in this State may
31 present evidence to the other state or tolling entity by mail, telephone,
32 or electronic means or in-person in an administrative proceeding
33 before the Department of Transportation to invoke the owner's rights
34 to due process, without having to appear personally in the jurisdiction
35 where the violation is alleged to have occurred; and

36 e. The parties to the reciprocity agreement each may charge the
37 other party a fee sufficient for each party to recoup the costs of
38 collection services, including costs incurred by the Department of
39 Transportation or the agency that registers motor vehicles in the other
40 state.¹

41
42 ¹[17.] 22.¹ a. Sections 1 through 7 of this act shall take effect
43 immediately.

44 b. Sections 8 through 10 of this act shall take effect upon the
45 enactment into law by the State of New York of legislation having an
46 identical effect as sections 8 through 10 of this act; but if the State of
47 New York shall already have enacted such legislation, sections 8
48 through 10 of this act shall take effect immediately.

1 c. Sections 11 through 13 of this act shall take effect upon the
2 enactment into law by the Commonwealth of Pennsylvania of
3 legislation having an identical effect with sections 11 through 13 of
4 this act; but if the Commonwealth of Pennsylvania shall already have
5 enacted such legislation, sections 11 through 13 of this act shall take
6 effect immediately.

7 d. ¹Sections 14 through 16 of this act shall take effect upon the
8 enactment into law by the Commonwealth of Pennsylvania of
9 legislation having an identical effect with sections 14 through 16 of
10 this act; but if the Commonwealth of Pennsylvania shall already have
11 enacted such legislation, sections 14 through 16 of this act shall take
12 effect immediately.

13 e. ¹Sections ¹~~14~~ ¹⁷ through ¹~~16~~ ¹⁹ of this act shall take
14 effect upon the enactment into law by the State of Delaware of
15 legislation having an identical effect with sections ¹~~14~~ ¹⁷ through
16 ¹~~16~~ ¹⁹ of this act; but if the State of Delaware shall already have
17 enacted such legislation, sections ¹~~14~~ ¹⁷ through ¹~~16~~ ¹⁹ of this
18 act shall take effect immediately.

19 ¹f. Sections 20 and 21 of this act shall take effect immediately.¹