SENATE, No. 1918

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Senator TROY SINGLETON
District 7 (Burlington)

SYNOPSIS

Requires carrier of construction materials to maintain commercial general liability insurance with minimum of one million dollars in coverage per accident.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning insurance requirements for carriers of construction materials and supplementing P.L.1975, c.217 (C.52:27D-119 et seq.).

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

1. a. Each carrier of construction materials shall:

(1) carry commercial general liability insurance in the minimum amount of $1,000,000 per accident;

(2) secure and maintain proof of a certificate of commercial general liability insurance in the amount required pursuant to this section; and

(3) provide proof of the certificate of commercial general liability insurance, secured and maintained pursuant to paragraph (2) of this subsection, to the Department of Community Affairs.

b. A carrier of construction materials that fails to comply with the requirements of paragraph (1) of subsection a. of this section shall be subject to a fine of $5,000. A carrier of construction materials that fails to comply with the requirements of paragraph (2) or paragraph (3) of subsection a. of this section shall be subject to a fine of not less than $100 or more than $500.

c. The commissioner, in consultation with the Chief Administrator of the New Jersey Motor Vehicle Commission, shall promulgate rules and regulations to implement the provisions of this section, including determining the gross vehicle weight above which a person qualifies as a carrier of construction materials and any other factors which qualify a person as a carrier of construction materials for the purposes of this section and establishing procedures for the receipt of proof of a certificate of commercial general liability insurance provided to the department pursuant to this section.

d. As used in this section:

“Carrier of construction materials” means (1) a person contracted to transport construction materials by motor vehicle or (2) a person transporting construction materials by motor vehicle if the gross vehicle weight exceeds the weight limitation established by the commissioner pursuant to subsection c. of this section.

“Commissioner” means the Commissioner of the Department of Community Affairs.

"Construction materials" means construction equipment and naturally occurring aggregates, including but not limited to top soil, crushed stone, gravel, sand, clay, and clean fill.

2. This act shall take effect on the first January 1 following the date of enactment.

STATEMENT

This bill requires every carrier of construction materials to carry commercial general liability insurance in the minimum amount of $1,000,000 per accident. Carriers covered under the bill include any person contracted to transport construction materials, including construction equipment and naturally occurring aggregates, by motor vehicle and any person transporting construction materials where the gross vehicle weight exceeds the weight limitation to be established by the Commissioner of Community Affairs. Any carrier of construction materials that fails to carry commercial general liability insurance in the required minimum amount is subject to a fine of $5,000. Any carrier of construction materials that fails to secure and maintain proof of that insurance or fails to provide proof to the Department of Community Affairs is subject to a fine ranging from $100 to $500.