

**ASSEMBLY, No. 2265**

---

**STATE OF NEW JERSEY**

**219th LEGISLATURE**

---

INTRODUCED FEBRUARY 7, 2022

**Sponsored by:**  
**Assemblywoman CAROL A. MURPHY**  
**District 7 (Burlington)**

**SYNOPSIS**

Provides for representation of Burlington County on SJTA.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the South Jersey Transportation Authority and  
2 amending P.L.1991, c.252.

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

6  
7 1. Section 2 of P.L.1991, c.252 (C.27:25A-2) is amended to  
8 read as follows:

9 2. The Legislature finds and declares that:

10 a. It is the public policy of this State to provide for the  
11 coordinated development and planning of the State's transportation  
12 system both on the State and regional level. Through the medium  
13 of the Transportation Executive Council, established by Executive  
14 Order No. 10 of 1990, the activities of the various transportation  
15 related authorities are coordinated on the State level. In the northern  
16 region of the State the Port Authority of New York and New Jersey,  
17 the New Jersey Turnpike Authority, the Hackensack Meadowlands  
18 Development Commission, the North Jersey Transportation  
19 Coordinating Committee and other organizations exist to provide  
20 for the support and planning of the transportation system in that  
21 region.

22 b. In the southern region of the State an increase in residential  
23 development, the completion of Interstate Route 476 (also known  
24 as the "Blue Route") in Pennsylvania, the establishment of casino  
25 gaming in Atlantic City, and other factors, have caused an increase  
26 in vehicular traffic in southern New Jersey and have highlighted the  
27 need for a more coordinated effort on a regional basis to deal with  
28 the operation and possible extension of the region's highway  
29 system, the improvement and expansion of its aviation facilities,  
30 and the coordination of Atlantic County's transportation system  
31 within the larger regional system.

32 c. Concomitant with the development of the transportation  
33 system in southern New Jersey the need exists for the ancillary  
34 establishment of economic development facilities directly related to  
35 transportation projects in that region to be funded by a  
36 transportation authority.

37 d. It is in the public interest to create a South Jersey  
38 Transportation Authority, encompassing the counties of Atlantic,  
39 Burlington, Camden, Cape May, Cumberland, Gloucester, and  
40 Salem, as a successor to the New Jersey Expressway Authority and  
41 the Atlantic County Transportation Authority, to provide more  
42 coordination of the region's transportation system and to deal  
43 particularly with the highway system, aviation facilities and the  
44 transportation problems of Atlantic County through the acquisition,  
45 construction, maintenance, operation and support of expressway

**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 and transportation projects and economic development facilities  
2 directly related to transportation projects authorized by this act.  
3 However, the activities of a transportation authority are not to  
4 supplant or replace the funding of projects by the Transportation  
5 Trust Fund Authority or the operation of public transportation  
6 services by the New Jersey Transit Corporation.  
7 (cf: P.L.2013, c.253, s.7)

8  
9 2. Section 3 of P.L.1991, c.252 (C.27:25A-3) is amended to  
10 read as follows:

11 3. As used in this act:

12 "Air passenger service" means any service which involves the  
13 carriage of persons for compensation or hire by aircraft.

14 "Atlantic City Expressway" means the expressway project known  
15 as the Atlantic City Expressway constructed by the New Jersey  
16 Expressway Authority pursuant to section 40 of P.L.1962, c.10  
17 (C.27:12C-40).

18 "Atlantic City International Airport" means the airport  
19 authorized by section 24 of this act.

20 "Atlantic County Transportation Authority" means the county  
21 transportation authority authorized pursuant to P.L.1980, c.44  
22 (C.40:35B-1 et seq.).

23 "Authority" means the South Jersey Transportation Authority  
24 created by section 4 of this act.

25 "Bond" means any bond or note issued by the authority pursuant  
26 to the provisions of this act or issued by or for an original authority  
27 or any predecessor authority thereof, as the case may be.

28 "Commissioner" means the Commissioner of Transportation.

29 "Construction" or "construct" means the planning, designing,  
30 construction, reconstruction, rehabilitation, replacement, repair,  
31 extension, enlargement, improvement and betterment of expressway  
32 projects and transportation projects, and includes the demolition,  
33 clearance and removal of buildings or structures on land acquired,  
34 held, leased or used for those projects.

35 "Cost" means all or any part of the expenses incurred in  
36 connection with the acquisition, construction and maintenance of  
37 any real property, lands, structures, real or personal property rights,  
38 rights-of-way, franchises, easements, and interests acquired or used  
39 for a project; any financing charges and reserves for the payment of  
40 principal and interest on bonds or notes; the expenses of  
41 engineering, appraisal, architectural, accounting, financial and legal  
42 services; and other expenses as may be necessary or incident to the  
43 acquisition, construction and maintenance of a project, the  
44 financing thereof and the placing of the project into operation.

45 "County" means a county in South Jersey.

46 "Department" means the Department of Transportation.

47 "Economic development facility" means any area, place, building  
48 or other improvement or structure related to, connected with, or in

1 the vicinity of, a transportation project which may serve the users of  
2 that project or assist in, enhance or stimulate its operation or  
3 development.

4 "Expressway project" means the acquisition, construction and  
5 maintenance of the Atlantic City Expressway as transferred to the  
6 authority pursuant to this act and of any express highway, super  
7 highway or motorway at the locations and between the termini as  
8 may hereafter be established by law and acquired or to be acquired  
9 or constructed or to be constructed under the provisions of this act  
10 by the authority, over which abutters have no easements or rights of  
11 light, air or direct access by reason of the fact that their properties  
12 abut thereon, and shall include but not be limited to all bridges,  
13 parking facilities, tunnels, overpasses, underpasses, interchanges,  
14 traffic circles, grade separations, entrance plazas, approaches, toll  
15 houses, service areas, stations and facilities, communications  
16 facilities, administration, storage and other buildings, and other  
17 structures related to the use of the express highway, superhighway  
18 or motorway, intersecting highways and bridges and feeder roads  
19 which the authority may deem necessary or desirable for the  
20 operation of the project, together with all property rights, easements  
21 and interests which may be acquired by the authority for the  
22 construction or the operation of the project, and includes any  
23 planning necessary for the execution of any expressway project.

24 "Feeder road" means any road which in the determination of the  
25 authority is necessary to create or facilitate access to a project and  
26 is not more than five miles in length from the point of its  
27 connection with the project.

28 "Land and improvements" means any area or lands, any interest,  
29 right or title in land, including but not limited to, any reversionary  
30 right, and any real or personal property, structure, facility, building  
31 or equipment.

32 "Marine passenger service" means any service which involves  
33 the carriage of persons for compensation or hire by waterborne  
34 craft.

35 "Motorbus charter service" means subscription, tour and other  
36 special motorbus services.

37 "Motorbus regular route service" means the operation of any  
38 motorbus or motorbuses on streets, public highways or other  
39 facilities, over a fixed route and between fixed termini on a regular  
40 schedule for the purpose of carrying passengers, for hire or  
41 otherwise, within South Jersey or between points within South  
42 Jersey and points without South Jersey.

43 "Municipality" means any city, borough, village, town or  
44 township in South Jersey but not a county or a school district.

45 "New Jersey Expressway Authority" means the authority created  
46 pursuant to P.L.1962, c.10 (C.27:12C-1 et seq.).

47 "Original authority" means the New Jersey Expressway  
48 Authority or the Atlantic County Transportation Authority.

1 "Paratransit service" means any service, other than motorbus  
2 regular route service and motorbus charter service, including but  
3 not limited to, dial-a-ride, non-regular route, jitney or community  
4 minibus, and shared-ride services such as vanpools, limousines or  
5 taxicabs which are regularly available to the public. Paratransit  
6 services shall not include limousine or taxicab service reserved for  
7 the private and exclusive use of individual passengers.

8 "Parking facility" means any area or place, garage, building, or  
9 other improvement or structure for the parking or storage of motor  
10 or other vehicles, including but not limited to all real property and  
11 personal property, driveways, roads and other structures or areas  
12 necessary or useful or convenient for access to a facility from a  
13 public street, road or highway, or from any transportation project;  
14 meters, mechanical equipment necessary or useful or convenient for  
15 or in connection with that parking or storage; and any structures,  
16 buildings, space or accommodations, whether constructed by an  
17 authority or by the lessee, to be leased for any business, commercial  
18 or other use, including the sale of gasoline or accessories for, or the  
19 repair or other servicing of automobiles and other motor vehicles,  
20 if, in the opinion of the authority, the inclusion, provision and  
21 leasing is necessary to assist in defraying the expenses of the  
22 authority and make possible the operation of the parking facility at  
23 reasonable rates, but the authority shall not itself engage in the sale  
24 of gasoline or accessories for, or in the repair or other servicing of  
25 automobiles or other motor vehicles except in emergency, nor in the  
26 sale of any service or commodity of trade or commerce.

27 "Project" means an expressway project or transportation project  
28 and the costs associated therewith.

29 "Public highway" means any public highway, road or street in  
30 South Jersey, including federal aid highways, whether maintained  
31 by the State or by a county, municipality or other governmental  
32 subdivision in South Jersey.

33 "Public transportation facility" means, in connection with public  
34 transportation service, passenger stations, shelters and terminals,  
35 automobile and bus parking facilities, ramps, track connections,  
36 signal systems, power systems, information and communication  
37 systems, roadbeds, transit lanes or rights-of-way, equipment storage  
38 and servicing facilities, bridges, grade crossings, rail cars,  
39 locomotives, motorbuses and other motor vehicles, maintenance and  
40 garage facilities, revenue handling equipment and any other  
41 equipment, facility or property useful or related to the provision of  
42 transportation service.

43 "Public transportation service" means rail passenger service,  
44 motorbus regular route service, paratransit service, motorbus  
45 charter service and marine passenger service.

46 "Rail passenger service" means the operation of railroad,  
47 subway, or light rail systems including fixed and automated  
48 guideway systems for the purpose of carrying passengers in South

1 Jersey or between points within South Jersey and points without  
2 South Jersey.

3 "Real property" means lands within the State, above or below  
4 water, and improvements thereof or thereon, or any riparian or other  
5 rights or interests therein.

6 "South Jersey" means the area encompassing the counties of  
7 Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester,  
8 and Salem.

9 "Transfer date" means, with respect to the New Jersey  
10 Expressway Authority, the date on which all bonds issued by the  
11 New Jersey Expressway Authority cease to be outstanding within  
12 the meaning of the resolutions pursuant to which those bonds were  
13 issued, as certified by the trustee or trustees thereunder and, with  
14 respect to the Atlantic County Transportation Authority, the date on  
15 which New Jersey Economic Development Authority first mortgage  
16 revenue bonds, series of 1980, dated July 1, 1980, (New York  
17 Parking Associates - Parking Authority of Atlantic City project)  
18 issued by the New Jersey Economic Development Authority cease  
19 to be outstanding within the meaning of the indenture pursuant to  
20 which those bonds were issued, as certified by the trustees  
21 thereunder or the date on which the South Jersey Transportation  
22 Authority certifies to the Atlantic County Transportation Authority  
23 for a predecessor authority to the Atlantic County Transportation  
24 Authority and the State Treasurer that it assumes all debts and  
25 obligations of the Atlantic County Transportation Authority.

26 "Transportation facility" means any area, place, building, or  
27 other structure designed to provide rail passenger service, motorbus  
28 regular route service, paratransit service, motorbus charter service,  
29 air passenger and air freight service, or marine passenger service, or  
30 any two or more of these services, to the public, and includes  
31 passenger stations, shelters and terminals, air passenger terminals,  
32 hangars, heliports, docking and launching facilities, parking  
33 facilities, ramps, track connections, signal systems, power systems,  
34 information and communication systems, roadbeds, transit lanes or  
35 rights-of-way, equipment storage and servicing facilities, bridges,  
36 grade crossings, rail cars, locomotives, motorbus and other motor  
37 vehicles, boats, ferries and other marine vehicles, aircraft,  
38 maintenance and garage facilities, revenue handling equipment and  
39 any other equipment, facility or property useful for or related to the  
40 provision of these services;

41 "Transportation project" means the acquisition, construction, and  
42 maintenance of an airport, public transportation facility or other  
43 transportation facility, established by this act or which may be  
44 hereafter established by law and may include related facilities and  
45 activities which may consist of public transportation services,  
46 public transportation facilities, including but not limited to rail and  
47 bus stations and terminals, noise abatement projects, parking  
48 facilities, public highways and feeder roads related to or connected

1 with the project, and any economic development facilities as  
2 defined in this section. Transportation project includes any planning  
3 necessary to develop a comprehensive, efficient, convenient or  
4 economical transportation system in South Jersey, any planning or  
5 marketing necessary or desirable for the execution of any  
6 transportation project, and any planning, acquisition, construction  
7 or operation of economic development facilities related to,  
8 connected with, or in the vicinity of the project.

9 "Transportation system" means public highways, expressway  
10 projects, transportation projects, and all other methods of  
11 transportation for the movement of people and goods in South  
12 Jersey.

13 "Transportation Trust Fund Authority" means the New Jersey  
14 Transportation Trust Fund Authority established by section 4 of  
15 P.L.1984, c.73 (C.27:1B-4).

16 (cf: P.L.1991, c.252, s.3)

17  
18 3. Section 5 of P.L.1991, c.252 (C.27:25A-5) is amended to  
19 read as follows:

20 5. a. The authority shall consist of the Commissioner of  
21 Transportation who shall be an ex officio voting member, the Chief  
22 Executive Officer of the New Jersey Economic Development  
23 Authority [Commissioner of Commerce, Energy and Economic  
24 Development] who shall be an ex officio nonvoting member, and  
25 [seven] eight members appointed by the Governor with the advice  
26 and consent of the Senate, [six] seven of whom are residents of  
27 South Jersey, four of whom shall be residents of that portion of  
28 South Jersey within a 30 mile radius of the civil aviation terminal at  
29 the Atlantic City International Airport or of municipalities through  
30 which the Atlantic City Expressway traverses , [and] two of whom  
31 shall be residents of that portion of South Jersey outside of a 30  
32 mile radius of that terminal, and one whom shall be a resident of  
33 Burlington County; provided that all of the appointed members  
34 shall have expertise in transportation, finance, law, public  
35 administration, or aviation or any other related field. Not more than  
36 [four] five of the appointed members shall be members of the same  
37 political party. Each appointed member shall have been a qualified  
38 voter of the State for at least one year preceding the appointment.

39 b. Each ex officio member of the authority may designate an  
40 employee of the member's department to represent the member at  
41 meetings of the authority. The designee of the commissioner may  
42 lawfully vote and otherwise act on behalf of the member. The  
43 designation shall be made annually in writing and delivered to the  
44 authority and shall be effective until revoked or amended by written  
45 notice delivered to the authority.

46 c. Each appointed member of the authority shall serve for a  
47 term of five years, except that, of those first appointed, one shall

1 serve for a term of two years, two shall serve for a term of three  
2 years, two shall serve for a term of four years and two shall serve  
3 for a term of five years, as the Governor may designate upon  
4 appointment.

5 d. Each member appointed by the Governor shall hold office  
6 for the term of appointment and until a successor is appointed and  
7 qualified. A member shall be eligible for reappointment. Any  
8 vacancy in the membership occurring other than by expiration of  
9 term shall be filled in the same manner as the original appointment  
10 but for the unexpired term only.

11 e. The Governor shall designate one of the members of the  
12 authority as chairperson who shall serve as such at the pleasure of  
13 the Governor. The authority, upon the first appointment of its  
14 members and thereafter on or after July 1 in each year, shall  
15 annually elect from among its members, including the ex officio  
16 voting member, a vice-chairperson who shall hold office until July  
17 1 next ensuing and until a successor is elected. The authority may  
18 also appoint and employ, without regard to the provisions of Title  
19 11A of the New Jersey Statutes, a secretary, a chief financial  
20 officer, an executive director, a general counsel and a chief engineer  
21 and other consulting engineers, special attorneys or counsel,  
22 accountants, construction, legal and financial experts, and other  
23 agents and employees as the authority may require, and shall  
24 determine their qualifications, terms of office, duties and  
25 compensation, except (1) the authority shall not enter into a contract  
26 of employment for the position of executive director or other  
27 policy-making positions for a term of employment ending later than  
28 the last day of the four-year gubernatorial term in effect on the date  
29 on which the contract is executed, provided the authority may  
30 continue to employ, at its pleasure, the executive director or other  
31 employee subject to the provisions of this paragraph after the  
32 termination of an employment contract until such time as a contract  
33 of employment for that position is executed and (2) those  
34 employees not subject to the "New Jersey Employer-Employee  
35 Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.) shall receive  
36 (a) sick and vacation leave only as provided for State employees in  
37 Title 11A of the New Jersey Statutes and if supplemental  
38 compensation upon retirement is to be paid, it shall be calculated  
39 and limited as in N.J.S. 11A:6-19 and (b) health benefits no greater  
40 than the level of benefits provided to State employees pursuant to  
41 the "New Jersey State Health Benefits Program Act," P.L.1961,  
42 c.49 (C.52:14-17.25 et seq.).

43 f. The powers of the authority shall be vested in the voting  
44 members thereof in office from time to time; five voting members  
45 of the authority shall constitute a quorum and the affirmative vote  
46 of five members shall be necessary for any action taken by the  
47 authority unless the bylaws of the authority shall require a larger  
48 number. No vacancy in the membership of the authority shall



1 impair the right of a quorum to exercise all the rights and perform  
2 all the duties of the authority.

3 g. The members of the authority shall serve without  
4 compensation, but the authority may reimburse its members for  
5 actual and necessary expenses incurred in the discharge of their  
6 duties. Notwithstanding the provisions of any other law, no member  
7 of the authority shall be deemed to have forfeited nor shall forfeit  
8 the member's office or employment or any benefits or emoluments  
9 thereof by reason of the member's service as ex officio member of  
10 the authority.

11 h. Each appointed member of the authority may be removed by  
12 the Governor for cause after a public hearing and may be suspended  
13 by the Governor pending the completion of the hearing. Each  
14 member of the authority before entering upon the duties of office  
15 shall take and subscribe an oath to perform the duties of the office  
16 faithfully, impartially and justly to the best of the member's ability.  
17 A record of these oaths shall be filed in the office of the Secretary  
18 of State. Each member of the authority, the executive director and  
19 other employees as the authority may require shall file annually  
20 with the Secretary of State a financial disclosure statement in the  
21 manner required by Executive Order No. 1 of 1990.

22 i. The authority may be dissolved by act of the Legislature on  
23 condition that the authority has no debts or obligations outstanding  
24 or provision has been made for the payment, retirement, termination  
25 or assumption of its debts and obligations. Upon dissolution of the  
26 authority all property, funds and assets thereof shall be vested in the  
27 State.

28 (cf: P.L.1991, c.292, s.5)

29  
30 4. This act shall take effect immediately.

### 31 32 33 STATEMENT

34  
35 The South Jersey Transportation Authority (SJTA) coordinates  
36 the development and planning of transportation infrastructure across  
37 most of South Jersey. Additionally, the SJTA manages the Atlantic  
38 City Expressway and the Atlantic City International Airport;  
39 transportation infrastructure that not only links South Jersey  
40 together, but to the rest of the world. The SJTA currently includes  
41 Atlantic, Cape May, Camden, Cumberland, Gloucester, and Salem  
42 Counties within its transportation development and planning scope  
43 as member counties.

44 Burlington County is a transportation gateway to the South  
45 Jersey region. Within its boundaries are several Delaware River  
46 bridges, highways, and light rail infrastructure that connects South  
47 Jersey to the broader northeast corridor. To help the SJTA fulfill its  
48 role of coordinating the development and planning of transportation

**A2265 MURPHY**

10

1 infrastructure across all of South Jersey, this bill includes  
2 Burlington County as a member county of the SJTA. The bill also  
3 changes the composition of the Board of Commissioners of the  
4 SJTA by adding a new member to the Board and requiring that at  
5 least one member of the Board reside in Burlington County.