

# ASSEMBLY, No. 1610

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblywoman SHAMA A. HAIDER**

**District 37 (Bergen)**

**SYNOPSIS**

Authorizes DOT, NJTA, and SJTA to permit BPU-certified persons to install and maintain solar photovoltaic panels on noise barriers erected on roads and highways.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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1 **AN ACT** concerning the installation of solar photovoltaic panels and  
2 supplementing P.L.1966, c.301 (C.27:1A-1 et seq.), P.L.1948,  
3 c.454 (C.27:23-1 et seq.), and P.L.1991, c.252 (C.27:25A-1 et  
4 seq.).

5

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

8

9 1. a. Notwithstanding any law, rule, regulation or order to the  
10 contrary, the Department of Transportation, in consultation with the  
11 Board of Public Utilities, shall permit any person that, pursuant to  
12 regulations adopted in accordance with section 1 of P.L.2007, c.264  
13 (C.48:3-107), is certified by the Board of Public Utilities as an  
14 installer of solar photovoltaic panels and related equipment in this  
15 State, to install and maintain such panels and related equipment on  
16 any noise barriers erected on roads and highways under the  
17 jurisdiction of the department.

18 b. The department shall, pursuant to the “Administrative  
19 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules  
20 and regulations to implement the provisions of this section. Such  
21 rules and regulations shall include, but not be limited to, provisions  
22 concerning access over roads and highways to noise barriers by  
23 installers of solar photovoltaic panels and related equipment to  
24 install and maintain the panels and related equipment, responsibility  
25 of installers for costs incurred to install and maintain the panels and  
26 related equipment, liability for improper installation and  
27 maintenance of the panels and related equipment, and calculation  
28 and payment of appropriate fees to the State for the placement of  
29 the panels and related equipment on noise barriers located on roads  
30 and highways under the department’s jurisdiction.

31 c. The implementation of the provisions of this section by the  
32 department to permit the installation and maintenance of solar  
33 photovoltaic panels and related equipment on noise barriers erected  
34 on roads and highways under the jurisdiction of the department,  
35 shall be considered part of the measures necessary to reduce  
36 greenhouse gas emissions pursuant to section 6 of P.L.2007, c.112  
37 (C.26:2C-42).

38

39 2. a. Notwithstanding any law, rule, regulation or order to the  
40 contrary, the New Jersey Turnpike Authority, in consultation with  
41 the Board of Public Utilities, shall permit any person that, pursuant  
42 to regulations adopted in accordance with section 1 of P.L.2007,  
43 c.264 (C.48:3-107), is certified by the Board of Public Utilities as  
44 an installer of solar photovoltaic panels and related equipment in  
45 this State, to install and maintain such panels and related equipment  
46 on any noise barriers erected on roads and highways under the  
47 jurisdiction of the authority.

1        b. The authority shall, pursuant to the "Administrative  
 2 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules  
 3 and regulations to implement the provisions of this section. Such  
 4 rules and regulations shall include, but not be limited to, provisions  
 5 concerning access over roads and highways to noise barriers by  
 6 installers of solar photovoltaic panels and related equipment to  
 7 install and maintain the panels and related equipment, responsibility  
 8 of installers for costs incurred to install and maintain the panels and  
 9 related equipment, liability for improper installation and  
 10 maintenance of the panels and related equipment, and calculation  
 11 and payment of appropriate fees to the authority for the placement  
 12 of the panels and related equipment on noise barriers located on  
 13 roads and highways under the authority's jurisdiction.  
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15        3. a. Notwithstanding any law, rule, regulation or order to the  
 16 contrary, the South Jersey Transportation Authority, in consultation  
 17 with the Board of Public Utilities, shall permit any person that,  
 18 pursuant to regulations adopted in accordance with section 1 of  
 19 P.L.2007, c.264 (C.48:3-107), is certified by the Board of Public  
 20 Utilities as an installer of solar photovoltaic panels and related  
 21 equipment in this State, to install and maintain such panels and  
 22 related equipment on any noise barriers erected on roads and  
 23 highways under the jurisdiction of the authority.

24        b. The authority shall, pursuant to the "Administrative  
 25 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules  
 26 and regulations to implement the provisions of this section. Such  
 27 rules and regulations shall include, but not be limited to, provisions  
 28 concerning access over roads and highways to noise barriers by  
 29 installers of solar photovoltaic panels and related equipment to  
 30 install and maintain the panels and related equipment, responsibility  
 31 of installers for costs incurred to install and maintain the panels and  
 32 related equipment, liability for improper installation and  
 33 maintenance of the panels and related equipment, and calculation  
 34 and payment of appropriate fees to the authority for the placement  
 35 of the panels and related equipment on noise barriers located on  
 36 roads and highways under the authority's jurisdiction.  
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38        4. This act shall take effect immediately.  
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41    STATEMENT  
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43        This bill requires the Department of Transportation (department),  
 44 the New Jersey Turnpike Authority (turnpike authority), and the  
 45 South Jersey Transportation Authority (transportation authority) to  
 46 permit any persons certified by the New Jersey Board of Public  
 47 Utilities (board) as an installer of solar photovoltaic panels and  
 48 related equipment to install and maintain such panels and related

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1 equipment on noise barriers erected on roads and highways under  
2 the jurisdiction of the department, the turnpike authority and the  
3 transportation authority, respectively.

4 The bill also requires the department, the turnpike authority, and  
5 the transportation authority to adopt rules and regulations to  
6 implement requirements concerning access by board-certified  
7 persons to install and maintain the solar photovoltaic panels and  
8 related equipment, responsibility for costs to install and maintain  
9 the panels, liability for improper installation and maintenance of the  
10 panels and related equipment, and calculation and payment of  
11 appropriate fees to be paid by installers for the placement of the  
12 panels and related equipment on noise barriers.

13 The bill further provides that the department's implementation of  
14 the provisions of section 1 of the bill concerning the installation and  
15 maintenance of solar photovoltaic panels and related equipment on  
16 noise barriers erected on roads and highways under the  
17 department's jurisdiction, shall be considered part of the measures  
18 necessary to reduce greenhouse gas emissions pursuant to law.