

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1957

By Senator JONES

Referred to Committee on Highways, Transportation and Public Utilities

AN ACT concerning the Board of Public Utility Commissioners in relation to the transportation by carriers for hire, and amending section 48:2-15 of the Revised Statutes.

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

1 1. Section 48:2-15 of the Revised Statutes is amended to read as
2 follows:

3 48:2-15. (a) The board or the members thereof, whenever authorized
4 by an Act of Congress to exercise any power or authority over interstate
5 commerce, shall have full power and authority to administer the provisions
6 of such act within this State, and in cases authorized under such act, in
7 co-operation with boards of other States and the Interstate Commerce Com-
8 mission.

9 (b) *The board shall have all the power, and shall exercise its authority*
10 *to regulate the transportation by any carrier for hire of passengers and*
11 *property by land, water or air, between any place in this State and any place*
12 *in another State or between places in this State whether or not partly through*
13 *another State, including regulation of the adequacy of service and the safety*
14 *of operation and equipment, except power and authority which has been*
15 *heretofore expressly reserved to the United States by a valid enactment*
16 *of the Congress of the United States, or which is hereafter so reserved by*

17 *such an enactment of the Congress under powers delegated to the United*
18 *States by the Constitution of the United States.*

19 *(c) The board, in exercising the power and authority granted to it by*
20 *this section, shall co-operate with any similar duly constituted agency of*
21 *any adjoining State in respect to the transportation of passengers and prop-*
22 *erty between any place in this State and any place in an adjoining State or*
23 *between places in this State partly through an adjoining State, and the board*
24 *shall enforce the decision of any such agency of any adjoining State in re-*
25 *spect to any such transportation through or within this State unless it*
26 *shall affirmatively find that the action or omission to act required by the*
27 *decision of any such agency of any adjoining State (1) is not required for*
28 *the public convenience and necessity and (2) is detrimental to the best in-*
29 *terest of the people of this State.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to clarify the jurisdiction of the Board of Public Utility Commissioners in railroad cases where interstate commerce is involved. Except where Congress has specifically legislated, the States may take jurisdiction of matters involving interstate commerce to a greater or lesser extent. This act is required to insure the carrying out of the orders of the Board of Public Utility Commissioners in such cases.