

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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NEWSPAPER ARTICLES: No

RH/CL

P.L. 2017, CHAPTER 358, *approved January 16, 2018*
Assembly, No. 2439 (*First Reprint*)

1 AN ACT requiring the Commissioner of Transportation to notify
2 motorists of certain obligations and supplementing Title 27 of
3 the Revised Statutes.

4

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

7

8 1. The Commissioner of Transportation, in consultation with
9 the Director of the Division of Highway Traffic Safety in the
10 Department of Law and Public Safety, shall develop public
11 awareness programs and use variable message signs to inform
12 motorists of their duty to change lanes when approaching a
13 stationary authorized emergency vehicle, tow truck, ¹**[or]**¹ highway
14 maintenance or emergency service vehicle ¹, or sanitation vehicle¹
15 that is displaying flashing, blinking, or alternating ¹**[emergency]**¹
16 lights or, in the alternative, to reduce the speed of their vehicles if it
17 is ¹impossible, prohibited by law, or¹ unsafe to move over one lane,
18 pursuant to section 1 of P.L.2009, c.5 (C.39:4-92.2).

19

20 2. This act shall take effect immediately.

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24

25 Requires DOT Commissioner to develop public awareness
26 programs and use variable message signs to inform motorists about
27 State's "move over" law.

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:

¹Assembly floor amendments adopted June 22, 2017.

ASSEMBLY, No. 2439

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

SYNOPSIS

Requires DOT Commissioner to develop public awareness programs and use variable message signs to inform motorists about State's "move over" law.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/1/2016)

1 AN ACT requiring the Commissioner of Transportation to notify
2 motorists of certain obligations and supplementing Title 27 of
3 the Revised Statutes.

4

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

7

8 1. The Commissioner of Transportation, in consultation with
9 the Director of the Division of Highway Traffic Safety in the
10 Department of Law and Public Safety, shall develop public
11 awareness programs and use variable message signs to inform
12 motorists of their duty to change lanes when approaching a
13 stationary authorized emergency vehicle, tow truck, or highway
14 maintenance or emergency service vehicle that is displaying
15 flashing, blinking, or alternating emergency lights or, in the
16 alternative, to reduce the speed of their vehicles if it is unsafe to
17 move over one lane, pursuant to section 1 of P.L.2009, c.5 (C.39:4-
18 92.2).

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill requires the Commissioner of Transportation, in
26 consultation with the Director of the Division of Highway Traffic
27 Safety in the Department of Law and Public Safety, to develop
28 public awareness programs and to use variable message signs to
29 inform motorists of their duty to change lanes when approaching a
30 stationary authorized emergency vehicle, tow truck, or highway
31 maintenance or emergency service vehicle that is displaying
32 flashing, blinking, or alternating emergency lights or, in the
33 alternative, to reduce the speed of their vehicles if it is unsafe to
34 move over one lane, as is required under the State's "move over"
35 law.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2439

STATE OF NEW JERSEY

DATED: FEBRUARY 15, 2017

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 2439.

As reported, this bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to develop public awareness programs and to use variable message signs to inform motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, or highway maintenance or emergency service vehicle that is displaying flashing, blinking, or alternating emergency lights or, in the alternative, to reduce the speed of their vehicles if it is unsafe to move over one lane, as is required under the State's "move over" law.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2439

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2017

The Senate Transportation Committee reports favorably Assembly Bill No. 2439 (1R).

As reported, this bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to develop public awareness programs and to use variable message signs to inform motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle that is displaying flashing, blinking, or alternating lights or, in the alternative, to reduce the speed of their vehicles if it is impossible, prohibited by law, or unsafe to move over one lane, as is required under the State's "move over" law.

As reported, Assembly Bill No. 2439 (1R) is identical to Senate Bill No. 3360, which was amended and reported by the committee on this date.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2439

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2017

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2439 (1R).

This bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to develop public awareness programs and to use variable message signs to inform motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle that is displaying flashing, blinking, or alternating lights or, in the alternative, to reduce the speed of their vehicles if it is impossible, prohibited by law, or unsafe to move over one lane, as is required under the State's "move over" law.

As reported, this bill is identical to Senate Bill No. 3360 (1R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that the cost to the Department of Transportation (DOT) will depend upon the scope of the public awareness program to be conducted. The OLS anticipates that the DOT will choose a low-cost means of implementing the program that will rely heavily on the use of existing variable message signs and existing materials from the "move over" law campaign operated by the Division of Highway Traffic Safety in the Department of Law and Public Safety. The OLS assumes that the DOT will face no costs in using variable message signs to inform motorists about the State's "move over" law. This expectation is based on the fact that the DOT already owns the variable message signs and that existing internal resources are sufficient to program and operate those signs to communicate the required information.

STATEMENT TO
ASSEMBLY, No. 2439

with Assembly Floor Amendments
(Proposed by Assemblyman WISNIEWSKI)

ADOPTED: JUNE 22, 2017

These amendments add sanitation vehicles to the list of stationary vehicles displaying flashing, blinking, or alternating lights for which an approaching motorist is required to change lanes or reduce the speed of the motorist's vehicle as required by the State's "move over" law. These amendments reflect changes made to the State's "move over" law by P.L.2017, c.43. These amendments also change the reference to "flashing, blinking, or alternating emergency lights" in the bill to "flashing, blinking, or alternating lights" and clarify that motorists are to reduce the speed of their vehicles if it is impossible, prohibited by law, or unsafe to move over one lane when approaching certain stationary vehicles pursuant to the State's "move over" law.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2439

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: JULY 13, 2017

SUMMARY

- Synopsis:** Requires DOT Commissioner to develop public awareness programs and use variable message signs to inform motorists about State’s “move over” law.
- Type of Impact:** Annual increase in State expenditures.
- Agencies Affected:** Department of Transportation and Department of Law and Public Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	\$2,000	\$1,000	\$1,000

- The Office of Legislative Services (OLS) estimates that the State cost of the bill’s public awareness program will likely be \$2,000 in the first year and \$1,000 in each subsequent year.
- The cost will depend upon the scope of the public awareness program to be conducted by the Department of Transportation (DOT). The OLS anticipates that the DOT will choose a low-cost means of implementing the program that will rely heavily on the use of existing variable message signs and existing materials from the “move over” law campaign operated by the Division of Highway Traffic Safety in the Department of Law and Public Safety.
- The OLS projects that the DOT might newly create tri-fold brochures in support of the public awareness program. The annual cost to print 10,000 tri-fold brochures is \$1,000. An additional \$1,000 is estimated in the first year for the cost of graphic services.

BILL DESCRIPTION

Assembly Bill No. 2439 (1R) of 2016 requires the DOT to work with the Division of Highway Traffic Safety in the Department of Law and Public Safety to develop public awareness programs and to use variable message signs to inform motorists about the State’s “move over”

law. This law requires drivers to change lanes; or reduce speeds if a lane change is impossible, prohibited by law, or unsafe; when approaching certain stationary vehicles with flashing lights.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the State cost of the bill's public awareness program will likely be \$2,000 in the first year and \$1,000 in each subsequent year. This estimate anticipates that the DOT will develop a public awareness program that will rely heavily on the use of existing variable message signs and existing materials from the "move over" law campaign conducted by the Division of Highway Traffic Safety in the Department of Law and Public Safety.

It is not known exactly how the DOT will implement the public awareness program. There is a large range of possible options. The least expensive option is to utilize variable message signs and existing awareness materials that the Division of Highway Traffic Safety has already created and posted online. This option has no cost and can be accomplished with existing resources. The most expensive option is to use professionally produced television commercials and other high-cost outreach methods that could potentially cost millions of dollars.

The OLS assumes that the DOT will most likely choose a lower cost option, which involves utilizing existing outreach materials in addition to creating some additional materials, such as a brochure. The DOT has already indicated a preference to pursue a low-cost means of implementing this bill. Brochures would be consistent with that low-cost approach while still adding to the campaign that the division has already set up with a website, palm card, poster, flier, and 30-second public service announcement.

The cost to develop a new brochure is minimal because the division already has a "move over" campaign whose existing materials could be utilized in the creation of any brochure. It may cost \$1,000 for a graphic designer to utilize existing campaign materials to craft a tri-fold brochure consistent with the campaign. Online quotes suggest that a print run of 10,000 glossy color brochures would cost approximately \$1,000.

Moreover, the OLS assumes that the DOT will face no costs in using variable message signs to inform motorists about the State's "move over" law. This expectation is based on the fact that the DOT already owns the variable message signs and that existing internal resources are sufficient to program and operate those signs to communicate the required information.

Section: Authorities, Utilities, Transportation, and Communications

*Analyst: Patrick Brennan
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 3360

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED JUNE 26, 2017

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

SYNOPSIS

Requires DOT Commissioner to develop public awareness programs and use variable message signs to inform motorists about State's "move over" law.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring the Commissioner of Transportation to notify
2 motorists of certain obligations and supplementing Title 27 of
3 the Revised Statutes.

4

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

7

8 1. The Commissioner of Transportation, in consultation with
9 the Director of the Division of Highway Traffic Safety in the
10 Department of Law and Public Safety, shall develop public
11 awareness programs and use variable message signs to inform
12 motorists of their duty to change lanes when approaching a
13 stationary authorized emergency vehicle, tow truck, or highway
14 maintenance or emergency service vehicle that is displaying
15 flashing, blinking, or alternating emergency lights or, in the
16 alternative, to reduce the speed of their vehicles if it is unsafe to
17 move over one lane, pursuant to section 1 of P.L.2009, c.5 (C.39:4-
18 92.2).

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill requires the Commissioner of Transportation, in
26 consultation with the Director of the Division of Highway Traffic
27 Safety in the Department of Law and Public Safety, to develop
28 public awareness programs and to use variable message signs to
29 inform motorists of their duty to change lanes when approaching a
30 stationary authorized emergency vehicle, tow truck, or highway
31 maintenance or emergency service vehicle that is displaying
32 flashing, blinking, or alternating emergency lights or, in the
33 alternative, to reduce the speed of their vehicles if it is unsafe to
34 move over one lane, as is required under the State's "move over"
35 law.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 3360

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 4, 2017

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 3360.

As amended and reported, this bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to develop public awareness programs and to use variable message signs to inform motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle that is displaying flashing, blinking, or alternating lights or, in the alternative, to reduce the speed of their vehicles if it is unsafe to move over one lane, as is required under the State's "move over" law.

The committee amended the bill to add sanitation vehicles to the list of stationary vehicles displaying flashing, blinking, or alternating lights for which an approaching motorist is required to change lanes or reduce the speed of the motorist's vehicle as required by the State's "move over" law. These amendments reflect changes made to the State's "move over" law by P.L.2017, c.43. These amendments also change the reference to "flashing, blinking, or alternating emergency lights" in the bill to "flashing, blinking, or alternating lights" and clarify that motorists are to reduce the speed of their vehicles if it is impossible, prohibited by law, or unsafe to move over one lane when approaching certain stationary vehicles pursuant to the State's "move over" law.

As amended and reported, Senate Bill No. 3360 is identical to Assembly Bill No. 2439 (1R), which was reported by the committee on this date.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3360

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2017

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3360 (1R).

This bill requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to develop public awareness programs and to use variable message signs to inform motorists of their duty to change lanes when approaching a stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle that is displaying flashing, blinking, or alternating lights or, in the alternative, to reduce the speed of their vehicles if it is unsafe to move over one lane, as is required under the State's "move over" law.

As reported, this bill is identical to Assembly Bill No. 2439 (1R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that the cost to the Department of Transportation (DOT) will depend upon the scope of the public awareness program to be conducted. The OLS anticipates that the DOT will choose a low-cost means of implementing the program that will rely heavily on the use of existing variable message signs and existing materials from the "move over" law campaign operated by the Division of Highway Traffic Safety in the Department of Law and Public Safety. The OLS assumes that the DOT will face no costs in using variable message signs to inform motorists about the State's "move over" law. This expectation is based on the fact that the DOT already owns the variable message signs and that existing internal resources are sufficient to program and operate those signs to communicate the required information.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3360

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: DECEMBER 19, 2017

SUMMARY

- Synopsis:** Requires DOT Commissioner to develop public awareness programs and use variable message signs to inform motorists about State’s “move over” law.
- Type of Impact:** Annual increase in State expenditures.
- Agencies Affected:** Department of Transportation and Department of Law and Public Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	\$2,000	\$1,000	\$1,000

- The Office of Legislative Services (OLS) estimates that the State cost of the bill’s public awareness program will likely be \$2,000 in the first year and \$1,000 in each subsequent year.
- The cost will depend upon the scope of the public awareness program to be conducted by the Department of Transportation (DOT). The OLS anticipates that the DOT will choose a low-cost means of implementing the program that will rely heavily on the use of existing variable message signs and existing materials from the “move over” law campaign operated by the Division of Highway Traffic Safety (division) in the Department of Law and Public Safety.
- The OLS projects that the DOT might newly create tri-fold brochures in support of the public awareness program. The annual cost to print 10,000 tri-fold brochures is \$1,000. An additional \$1,000 is estimated in the first year for the cost of graphic services.

BILL DESCRIPTION

This bill requires the DOT to work with the division to develop public awareness programs and to use variable message signs to inform motorists about the State’s “move over” law. This

law requires drivers to change lanes; or reduce speeds if a lane change is impossible, prohibited by law, or unsafe; when approaching certain stationary vehicles with flashing lights.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the State cost of the bill's public awareness program will likely be \$2,000 in the first year and \$1,000 in each subsequent year. This estimate anticipates that the DOT will develop a public awareness program that will rely heavily on the use of existing variable message signs and existing materials from the "move over" law campaign conducted by the division.

It is not known exactly how the DOT will implement the public awareness program. There is a large range of possible options. The least expensive option is to utilize variable message signs and existing awareness materials that the division has already created and posted online. This option has no anticipated cost and can be accomplished with existing resources. The most expensive option is to use professionally produced television commercials and other high-cost outreach methods that could potentially cost millions of dollars.

The OLS assumes that the DOT will most likely choose a lower cost option, which involves utilizing existing outreach materials in addition to creating some additional materials, such as a brochure. The DOT has indicated a preference to pursue a low-cost means of implementing this bill. Brochures are consistent with that low-cost approach while still adding to the campaign that the division has already created with a website, palm card, poster, flier, and 30-second public service announcement.

The cost to develop a new brochure is minimal because the division already has a "move over" campaign whose existing materials may be utilized in the creation of any brochure. It may cost \$1,000 for a graphic designer to utilize existing campaign materials to craft a tri-fold brochure consistent with the campaign. Online quotes suggest that a print run of 10,000 glossy color brochures would cost approximately \$1,000.

The OLS assumes that the DOT will face no costs in using variable message signs to inform motorists about the State's "move over" law. This expectation is based on the fact that the DOT already owns the variable message signs and that existing internal resources are sufficient to program and operate the variable message signs to communicate the required information.

FE to S3360 [1R]

3

Section: Authorities, Utilities, Transportation, and Communications

*Analyst: Patrick Brennan
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).