

SENATE, No. 283

STATE OF NEW JERSEY

INTRODUCED MARCH 19, 1951

By Mr. SUMMERILL

Referred to Committee on Highways

AN ACT concerning turnpike projects operated by the New Jersey Turnpike Authority and requiring the payment of tolls for the use thereof, providing for the regulation of traffic thereon and prescribing proceedings and penalties for violations thereof.

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

1 1. No vehicle shall be permitted to make use of any turnpike project
2 operated by the New Jersey Turnpike Authority created pursuant to the
3 provisions of chapter four hundred fifty-four of the laws of one thousand
4 nine hundred and forty-eight (hereinafter called the "Authority") except
5 upon the payment of such tolls as may from time to time be prescribed by
6 the Authority. It is hereby declared to be unlawful for any person to
7 refuse to pay, or to evade or to attempt to evade the payment of such tolls.

1 2. No vehicle shall be operated on any such turnpike project carelessly
2 or recklessly, or in disregard of the rights or safety of others, or without
3 due caution or prudence, or in a manner so as to endanger unreasonably or
4 to be likely to endanger unreasonably persons or property, or while the
5 operator thereof is under the influence of intoxicating liquors or any narcotic
6 or habit-forming drug, nor shall any vehicle be so constructed, equipped,
7 lacking in equipment, loaded or operated in such a condition of disrepair as
8 to endanger unreasonably or to be likely to endanger unreasonably persons
9 or property.

1 3. A person operating a vehicle on any such turnpike project shall
2 operate it at a careful and prudent speed, having due regard to the rights
3 and safety of others and to the traffic, surface and width of the highway,
4 and any other conditions then existing; and no person shall operate a vehicle
5 on any such turnpike project at such a speed as to endanger life, limb or
6 property; *provided, however*, that it shall be prima facie lawful for a driver
7 of a vehicle to operate it at a speed not exceeding a speed limit which is
8 designated by the Authority as a reasonable and safe speed limit, when
9 appropriate signs giving notice of such speed limit are erected at the road-
10 side or otherwise posted for the information of operators of vehicles.

11 No person shall operate a vehicle on any such turnpike project at such
12 a slow speed as to impede or block the normal and reasonable movement of
13 traffic except when reduced speed is necessary for safe operation thereof.

14 No person shall operate a vehicle on any such turnpike project in viola-
15 tion of any speed limit designated by regulation adopted by the Authority as
16 hereinafter provided.

1 4. All persons operating vehicles upon any such turnpike project must
2 at all times comply with any lawful order, signal or direction by voice or
3 hand of any police officer engaged in the direction of traffic upon such
4 project. When traffic is controlled by traffic lights, signs or by mechanical or
5 electrical signals, such lights, signs and signals shall be obeyed unless a
6 police officer directs otherwise.

1 5. All persons operating vehicles upon any such turnpike project, or
2 seeking to do so, must at all times comply with regulations, not inconsistent
3 with the other sections of this act, adopted by the New Jersey Turnpike
4 Authority concerning types, weights and sizes of vehicles permitted to use
5 any such turnpike project, and with regulations adopted by the Authority
6 for or prohibiting the parking of vehicles, concerning the making of turns
7 and the use of particular traffic lanes, together with any and all other
8 regulations adopted by the Authority to control traffic and prohibit acts
9 hazardous in their nature or tending to impede or block the normal and

10 reasonable flow of traffic upon any turnpike project; *provided, however,* that
11 prior to the adoption of any regulation for the control of traffic on any such
12 turnpike project, including the designation of any speed limits, the Authority
13 shall investigate and consider the need for and desirability of such regulation
14 for the safety of persons and property, including the Authority's property,
15 and the contribution which any such regulation would make toward the
16 efficient and safe handling of traffic and use of such turnpike project, and
17 shall determine that such regulation is necessary or desirable to accomplish
18 such purposes or one or some of them, and that upon or prior to the effec-
19 tive date of any such regulation and during its continuance, notice thereof
20 shall be given to the drivers of vehicles by appropriate signs erected at the
21 roadside or otherwise posted.

22 The Authority is hereby authorized and empowered to make, adopt and
23 promulgate regulations referred to in this section in accordance with the
24 provisions hereof.

25 Regulations adopted by the Authority pursuant to the provisions of this
26 section shall insofar as practicable, having due regard to the features of any
27 such turnpike project and the characteristics of traffic thereon, be consistent
28 with the provisions of Title 39 of the Revised Statutes applicable to similar
29 subjects.

30 The Authority shall have power to amend, supplement or repeal any
31 regulation adopted by it under the provisions of this section.

32 No regulation and no amendment or supplement thereto or repealer
33 thereof adopted by the Authority shall take effect until it is filed with the
34 Secretary of State, by the filing of a copy thereof certified by the secretary
35 of the Authority.

1 6. The operator of any vehicle involved in an accident resulting in injury
2 or death to any person or damage to any property shall immediately stop
3 such vehicle at the scene of the accident, render such assistance as may be
4 needed, and give his name, address, and operator's license and registration
5 number to the person injured or to any officer or witness of the injury. The

6 operator of such vehicle shall make a report of such accident in accordance
7 with the law of the State of New Jersey.

1 7. No person shall transport in or upon any such turnpike project, any
2 dynamite, nitroglycerin, black powder, fireworks, blasting caps or other ex-
3 plosives, gasoline, alcohol, ether, liquid shellac, kerosene, turpentine, form-
4 aldehyde or other inflammable or combustible liquids, ammonium nitrate,
5 sodium chlorate, wet hemp, powdered metallic magnesium, nitro-cellulose
6 film, peroxides or other readily inflammable solids or oxidizing materials,
7 hydrochloric acid, sulfuric acid or other corrosive liquids, prussic acid, phos-
8 gene, arsenic, carbolic acid, potassium cyanide, tear gas, lewisite or any other
9 poisonous substances, liquids or gases, or any compressed gas, or any radio-
10 active article, substance or material, at such time or place or in such manner
11 or condition as to endanger unreasonably or as to be likely to endanger un-
12 reasonably persons or property.

1 8. If the violation of any provision of this act, or the violation of any
2 regulation adopted by the Authority under the provisions of this act, would
3 have been a violation of law or ordinance if committed on any public road,
4 street or highway in the municipality in which such violation occurred, it
5 shall be tried and punished in the same manner as if it had been committed
6 in such municipality.

1 9. Notwithstanding the provisions of section eight hereof, if the violation
2 within the State of the provisions of section seven hereof shall result in
3 injury or death to a person or persons or damage to property in excess of
4 the value of five thousand dollars (\$5,000.00), such violation shall constitute
5 a high misdemeanor.

1 10. Except as provided in sections eight and nine of this act, any viola-
2 tion of any of the provisions hereof, including but not limited to those regarding
3 the payment of tolls, and any violation of any regulation adopted by the Au-
4 thority under the provisions of this act shall be punishable by a fine not ex-
5 ceeding two hundred dollars (\$200.00) or by imprisonment not exceeding
6 thirty days or by both such fine and imprisonment. Such a violation shall be

7 tried in a summary way and shall be within the jurisdiction of and may be
8 brought in the county district court, or any criminal judicial district court, mu-
9 nicipal court, or existing police, magistrate's or recorder's court, in the county
10 where the offense was committed. The rules of the Supreme Court shall
11 govern the practice and procedure in such proceedings. Proceedings under
12 this section may be instituted on any day of the week, and the institution of
13 the proceedings on a Sunday or a holiday shall be no bar to the successful
14 prosecution thereof. Any process served on a Sunday or a holiday shall be
15 as valid as if served on any other day of the week.

16 When imposing any penalty under the provisions of this section the
17 court having jurisdiction shall be guided by the appropriate provisions of
18 any statute adopted at the current session of the Legislature, or hereafter,
19 fixing uniform penalties for violation of certain provisions of the motor
20 vehicle and traffic laws contained in Title 39 of the Revised Statutes.

1 11. In any prosecution for violating a regulation of the Authority
2 adopted pursuant to the provisions of this act copies of any such regulation
3 when authenticated under the seal of the Authority by its secretary or as-
4 sistant secretary shall be evidence in like manner and equal effect as the
5 original.

1 12. If any term or provision of this act shall be declared unconstitu-
2 tional or ineffective in whole or in part by a court of competent jurisdiction,
3 then to the extent that it is not unconstitutional or ineffective such term or
4 provision shall be enforced, nor shall such determination be deemed to in-
5 validate the remaining terms or provisions of this act.

1 13. No resolution or ordinance heretofore or hereafter adopted by the
2 governing body of any county or municipality for the control and regula-
3 tion of traffic shall be applicable to vehicles while upon any turnpike project
4 operated by the Authority.

1 14. In addition to any punishment or penalty provided by other sections
2 of this act, every registration certificate and every license certificate to drive
3 motor vehicles may be suspended or revoked and any person may be pro-

4 hibited from obtaining a driver's license or a registration certificate and the
5 reciprocity privileges of a nonresident may be suspended or revoked by the
6 Director of the Division of Motor Vehicles for a violation of any of the pro-
7 visions of this act, after due notice in writing of such proposed suspension,
8 revocation or prohibition and the ground thereof, and otherwise in accord-
9 ance with the powers, practice and procedure established by those provisions
10 of Title 39 of the Revised Statutes applicable to such suspension, revocation
11 or prohibition.

1 15. Except as otherwise provided by this act or by any regulation of the
2 New Jersey Turnpike Authority made in accordance with the provisions here-
3 of, the requirements of Title 39 of the Revised Statutes applicable to per-
4 sons using, driving or operating vehicles on the public highways of this State
5 and to vehicles so used, driven or operated shall be applicable to persons
6 using, driving or operating vehicles on any turnpike project referred to
7 herein and to vehicles so used, driven or operated.

1 16. This act shall take effect immediately.

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STATEMENT

The purpose of this bill is to provide enforcement measures for the control of traffic upon the New Jersey Turnpike, in order to be ready for the opening of the turnpike. The bill is in many respects similar to P. L. 1950, c. 192 which provides for the regulation of traffic using the tunnels and bridges, and approaches of the Port of New York Authority.

[OFFICIAL COPY REPRINT]
ASSEMBLY AMENDMENTS TO
SENATE, No. 283
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED APRIL 30, 1951

Amend page 4, section 9, line 1, delete the word "provision" and insert in lieu thereof the word "provisions."

Amend page 4, section 10, line 1, delete the words "section eight" and insert in lieu thereof the words "sections eight and nine."

Amend page 6, immediately following section 14, insert the following new section:

"15. Except as otherwise provided by this act or by any regulation of the New Jersey Turnpike Authority made in accordance with the provisions hereof, the requirements of Title 39 of the Revised Statutes applicable to persons using, driving or operating vehicles on the public highways of this State and to vehicles so used, driven or operated shall be applicable to persons using, driving or operating vehicles on any turnpike project referred to herein and to vehicles so used, driven or operated."

Amend page 6, section 15, line 1, change the section number "15" to section number "16."