

27:5F-18 to 35

4/21/88

LEGISLATIVE HISTORY CHECKLIST

NJSA: 27:5F-18 to 27:5F-35 "Highway Traffic Safety Act"

LAWS OF: 1987 CHAPTER: 284

Bill No: A3843

Sponsor(s): Kamin and others

Date Introduced: March 9, 1987

Committee: Assembly: Law, Public Safety and Corrections

Senate: -----

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: June 22, 1987

Senate: September 10, 1987

Date of Approval: October 14, 1987

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 6-29-86 (with statement)

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Rules and regulations of U.S. Highway Safety Act of 1966-- 23 CFR Parts 1204 et seq.

286

511

10-1-87

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3843

STATE OF NEW JERSEY

INTRODUCED MARCH 9, 1987

By Assemblymen KAMIN, SHUSTED, Catrillo, Kavanaugh and
Zimmer

AN ACT providing for the establishment of a Statewide highway traffic safety program, supplementing chapter 17B of Title 52 of the Revised Statutes and repealing P. L. 1971, c. 351.

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

1 1. This act shall be known and may be cited as the "New Jersey
2 Highway Traffic Safety Act of 1987."

1 2. The Legislature hereby finds and determines that the toll of
2 deaths and injuries resulting from highway accidents is a matter
3 of State concern. Although the State and local governments
4 presently are active in virtually all areas of highway safety, a
5 formal mechanism should exist for the integration and coordina-
6 tion of existing safety efforts. The establishment of a Statewide
7 highway traffic safety program under the guidance and direction
8 of the Governor will provide this needed mechanism to coordinate
9 State and local efforts in the struggle to reduce highway deaths
10 and injuries.

1 3. As used in this act:

2 a. "State highway traffic safety program" means all highway
3 traffic safety programs conducted by the State and political sub-
4 divisions of the State.

5 b. "Local highway traffic safety program" means a highway
6 traffic safety program established or submitted to the Governor by
7 a political subdivision pursuant to the provisions of this act.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate amendments adopted June 29, 1987.

8 c. "Political subdivision" means any local political subdivision
 9 of this State, including but not limited to a municipality, a county,
 10 a township, a district, or a special district.

11 d. "Governor" means the Governor of the State of New Jersey.

12 e. "Director" shall mean the Director of the Office of Highway
 13 Traffic Safety of the State of New Jersey.

14 *f. "*Volunteer first aid, rescue and ambulance squad*" means a
 15 *first aid, rescue and ambulance squad which provides emergency*
 16 *medical services without receiving payment for those services.*

17 g. "*Nonvolunteer first aid, rescue and ambulance squad*" means
 18 *a first aid, rescue and ambulance squad which provides emergency*
 19 *medical services on a paid basis.**

1 4. a. The Governor shall coordinate the highway traffic safety
 2 activities of State and local agencies, other public and private
 3 agencies, and interested organizations and individuals and shall be
 4 the official of this State having the ultimate responsibility of deal-
 5 ing with the federal government with respect to the State highway
 6 traffic safety program. In order to effectuate the purposes of this
 7 act he shall:

8 (1) Prepare for this State, the New Jersey Highway Traffic
 9 Safety Program which shall consist of a comprehensive plan in
 10 conformity with the laws of this State to reduce traffic accidents
 11 and deaths, injuries, and property damage resulting therefrom.

12 (2) Promulgate rules and regulations establishing standards and
 13 procedures relating to the content, coordination, submission, and
 14 approval of local highway traffic safety programs.

15 (3) Contract and do all things necessary or convenient on behalf
 16 of the State in order to insure that all departments of State Gov-
 17 ernment and local political subdivisions secure the full benefits
 18 available under the "U. S. Highway Safety Act of 1966," Pub. L.
 19 89-564 (23 U. S. C. § 401-404), and any acts amendatory or supple-
 20 mental thereto.

20A *(4) *Adopt training programs, guidelines and standards for*
 20B *members of nonvolunteer first aid, rescue and ambulance squads*
 20C *providing emergency medical service programs.**

21 b. The New Jersey Highway Traffic Safety Program, and rules
 22 and regulations, training programs, guidelines, and standards shall
 23 comply with uniform standards promulgated by the United States
 24 Secretary of Transportation in accordance with the "U. S. Highway
 25 Safety Act of 1966," Pub. L. 89-564 (23 U. S. C. § 401-404), and
 26 any acts amendatory or supplemental thereto.

1 5. The New Jersey Highway Traffic Safety Program shall, in
 2 addition to other provisions, include training programs for groups

3 such as but not limited to police, teachers, students and public em-
 4 ployees, which programs shall comply with the uniform standards
 5 promulgated by the United States Secretary of Transportation in
 6 accordance with the "U. S. Highway Safety Act of 1966," Pub. L.
 7 89-564 (23 U. S. C. § 401-404), and any acts amendatory or supple-
 8 mentary thereto.

9 **In addition, the New Jersey Highway Traffic Safety Program*
 10 *shall include the training program for members of volunteer first*
 11 *aid, rescue and ambulance squads, adopted by the New Jersey State*
 12 *First Aid Council, which shall comply with the uniform standards*
 13 *promulgated by the United States Secretary of Transportation in*
 14 *accordance with the "U. S. Highway Safety Act of 1966," Pub. L.*
 15 *89-564 (23 U. S. C. § 401-404) and any amendments or supplements*
 16 *to it.**

1 6. A political subdivision shall qualify for receipt of federal
 2 funds upon application to the Governor, provided that:

3 a. The political subdivision submits to the Governor a local high-
 4 way traffic safety program in accordance with and meeting the
 5 standards established and the rules and regulations promulgated
 6 pursuant to this act.

7 b. The political subdivision submits to the Governor any other
 8 information as may be required to carry out the purposes of this act.

1 7. The Department of the Treasury shall accept and receive any
 2 grants of money awarded to the State and its political subdivisions
 3 under the "U. S. Highway Safety Act of 1966," Pub. L. 89-564
 4 (23 U. S. C. § 401-404), and acts amendatory or supplemental
 5 thereto. All moneys so received shall be deposited by the Depart-
 6 ment of the Treasury and shall be used exclusively for establish-
 7 ing, administering and fulfilling highway traffic safety programs
 8 pursuant to the provisions of this act. The money shall be paid
 9 from the fund or funds upon audit and warrant of the Director,
 10 Division of Budget and Accounting, on vouchers of or certification
 11 by the Governor.

1 8. At least 40% of the federal funds so received, or such lesser
 2 amount as may be authorized pursuant to federal law, shall be
 3 expended by or for the benefit of political subdivisions.

1 **9. The Governor may also accept applications from political*
 2 *subdivisions made on behalf of hospitals, volunteer and nonvolun-*
 3 *teer first aid, rescue and ambulance squads, or other local entities*
 4 *servicing a public purpose for grants of money to implement emer-*
 5 *gency medical service programs. A political subdivision shall sub-*
 6 *mit all such applications to the Governor.*

1 10. *The officers of each volunteer and nonvolunteer first aid,*
2 *rescue and ambulance squad providing emergency medical service*
3 *programs shall be responsible for the training of its members and*
4 *shall notify the governing body of the political subdivision in which*
5 *the squad is located, or the person designated for this purpose by*
6 *the governing body, that particular applicants for membership*
7 *(qualified under sections 5 and 4 of this act respectively), ambu-*
8 *lances, and ambulance equipment meet the standards required by*
9 *this act. Upon receipt of such notification the governing body or*
10 *person designated shall certify the applicant, ambulances, and am-*
11 *bulance equipment as being qualified for emergency medical service*
12 *programs, and shall issue a certificate to that effect at no charge.*
13 *Each member and piece of equipment of a volunteer and nonvolun-*
14 *teer first aid, rescue and ambulance squad shall comply with the*
15 *requirements for certification annually. Any person who is a mem-*
16 *ber of a volunteer and nonvolunteer first aid, rescue and ambulance*
17 *squad providing emergency medical service programs on the effec-*
18 *tive date of this act shall, if application is made to the appropriate*
19 *municipality within 90 days of the effective date, be certified by*
20 *the governing body or designated person as being qualified for*
21 *emergency medical service programs for a period of two years. At*
22 *the end of that period, the person shall comply with the require-*
23 *ments for certification annually.**

1 ***[9.]*** *11.* The federal funds apportioned and allocated to the
2 State pursuant to the "U. S. Highway Safety Act of 1966," Pub.
3 L. 89-564 (23 U. S. C. § 401-404), or any other federal law, rule
4 or regulations shall be utilized for such highway traffic safety pur-
5 poses as the Governor shall deem appropriate.

6 In the event that federal funds are apportioned and allocated to
7 the State pursuant to the "U. S. Highway Safety Act of 1966,"
8 Pub. L. 89-564 (23 U. S. C. § 401-404), on the basis of existing
9 State and local highway safety traffic programs and activities, the
10 Governor is authorized, in his discretion and subject to the approval
11 of the appropriate federal agency with respect to the allocation and
12 payment of the local share of such federal funds, to do whatever
13 must be done to avail the State of the federal funds.

1 ***[10.]*** *12.* a. There is hereby created an Office of Highway
2 Traffic Safety in the Department of Law and Public Safety.

3 b. The office shall be under the immediate supervision of a di-
4 rector who shall be qualified to direct the work of the office. The
5 director shall be appointed by, and serve at the pleasure of, the
6 Governor.

7 c. The director shall:

8 (1) Administer the work of the office under the direction and
9 supervision of the Governor and the Attorney General;

10 (2) Perform such functions, in addition to the work of the office,
11 as the Governor may prescribe;

12 (3) Organize and reorganize the office;

13 (4) Assign and reassign personnel to employment within the
14 office;

15 (5) Perform or cause to be performed the work of the office in
16 the manner and pursuant to a program as he may deem necessary
17 and appropriate;

18 (6) Employ as necessary the services of several departments
19 and agencies, in a manner and to an extent as may be agreed upon
20 by the chief executive officer of a department or agency and the
21 Governor;

22 (7) Assist the localities in the development and formulation of
23 local highway traffic safety programs;

24 (8) Receive and process applications from local and State
25 agencies for highway traffic safety project grants;

26 (9) Cause to be made a periodic review of local highway traffic
27 safety programs*, *including training programs of first aid, rescue*
28 *and ambulance squads,** to insure they comply with the standards,
29 guidelines, rules and regulations provided for by this act.

1 **13. This act shall not be construed to grant to the Governor or*
2 *any other State or local official any power to promulgate regula-*
3 *tions which may restrict a volunteer and nonvolunteer first aid,*
4 *rescue or ambulance squad of the State in the proper performance*
5 *of its duties. The provisions of this section may not be waived*
6 *notwithstanding any other language of this act.**

1 ***[11.]*** **14.** The Governor shall establish a Highway Traffic
2 Safety Policy Advisory Council. The council shall consist of the
3 following 21 members appointed by the Governor: The Director of
4 the Office of Highway Traffic Safety, who shall serve a chairperson
5 of the council; one representative of the Department of Education;
6 one representative of the Department of Health; one representative
7 of the Department of Transportation; one representative each of
8 the Division of Motor Vehicles, the Division of State Police, and
9 the Police Training Commission in the Department of Law and
10 Public Safety; one representative of the Administrative Office of
11 the Courts; two representatives of county or municipal law en-
12 forcement agencies; two representatives of county or local govern-
13 ments; ***[three]*** **two** members of the Governor's Advisory
14 Council on Emergency Medical Services; **one representative of*
15 *the New Jersey State First Aid Council;** three private sector
15A corporate representatives; and three members of the general public.

16 The Highway Traffic Safety Policy Advisory Council shall make
 17 recommendations to the Governor to assist him in preparing the
 18 New Jersey Highway Traffic Safety Program and the rules and
 19 regulations and standards, guidelines and other programs provided
 20 for by this act.

1 ***[12.]*** *15.* The Director of the Office of Highway Traffic
 2 Safety is hereby appointed as the Governor's representative to the
 3 National Highway Traffic Safety Administration of the United
 4 States Department of Transportation.

1 ***[13.]*** *16.* On or before December 31st each year, the Gov-
 2 ernor shall submit a report to the Legislature. The report shall
 3 include a detailed presentation of the New Jersey Highway Traffic
 4 Safety Program, a statement concerning the progress made im-
 5 plementing the program, and recommendations concerning possi-
 6 ble legislative action deemed necessary or desirable to implement
 7 the program.

1 ***[14.]*** *17.* Executive Orders No. 31 of 1951 and 39 of 1968
 2 are hereby superseded. The "State Coordinating Council on Traffic
 3 and Safety" established pursuant to Executive Order No. 31 of
 4 1951 and the "Interdepartmental Highway Safety Program Com-
 5 mittee" established pursuant to Executive Order No. 39 of 1963
 6 are hereby abolished and the terms of office of the members thereof
 7 are hereby terminated. The functions, powers and duties of the
 8 Office of Highway Safety Liaison in the Department of Trans-
 9 portation established pursuant to Executive Order No. 39 of 1963
 10 are hereby transferred to the Office of Highway Traffic Safety in
 11 the Department of Law and Public Safety established hereunder.

1 ***[15.]*** *18.* The Office of Highway Safety in the Division of
 2 Motor Vehicles in the Department of Law and Public Safety, to-
 3 gether with its powers, functions, and duties, is transferred to the
 4 Office of Highway Traffic Safety in the Department of Law and
 5 Public Safety. All references in any law, order, rule, regulation,
 6 contract, document, judicial or administrative, or otherwise, to the
 7 Office of Highway Safety in the Division of Motor Vehicles in the
 8 Department of Law and Public Safety or the manager thereof,
 9 shall mean the Office of Highway Traffic Safety in the Department
 10 of Law and Public Safety or the director thereof. All transfers
 11 shall be made pursuant to the "State Agency Transfer Act," P. L.
 12 1971, c. 375 (C. 52:14D-1 et seq.).

1 ***[16.]*** *19.* The "New Jersey Highway Safety Act of 1971,"
 2 P. L. 1971, c. 351 (C. 27:5F-1 et seq.) is repealed.

1 ***[17.]*** *20.* This act shall take effect immediately.

LAW AND PUBLIC SAFETY—GENERAL
 Renames and revises scope of Office of Highway Safety.

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3843

STATE OF NEW JERSEY

DATED: JUNE 11, 1987

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 3843.

Assembly Bill No. 3843 renames and revises the scope of the Office of Highway Safety. The new name of the office is to be the Office of Highway Traffic Safety. The change emphasizes that the office is concerned with traffic on the State's highways, rather than with the highways themselves.

While retaining the office in the Department of Law and Public Safety, the bill removes it from the jurisdiction of the Division of Motor Vehicles. It also removes from the office's responsibilities the training and certifying of first aid, rescue and ambulance squads. These functions currently are performed by the Department of Health.

Finally, the bill allocates sections of the law pertaining to the Office of Highway Traffic Safety to chapter 17B of Title 52 of the Revised Statutes, rather than to Title 27 of the Revised Statutes, in order to place these sections near other sections of the law dealing with the Department of Law and Public Safety.

06/26/87

LP0076

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G-29-87

Senate ~~Amendments~~ Amendments
proposed by Senator Hurley 6/29/87

to

Assembly Bill No. 3843
sponsored by Assemblymen Kamin
and Shusted

Amend:

Page	Sec.	Line	
4	11	13	Omit "three" insert "two"
4	11	14	After "Services;" insert "one representative of the New Jersey State First Aid Council:"
4	12	1	Omit "12." insert "15."
4	13	1	Omit "13." insert "16."
5	14	1	Omit "14." insert "17."
5	15	1	Omit "15." insert "18."
5	16	1	Omit "16." insert "19."
5	17	1	Omit "17." insert "20."

STATEMENT

These amendements would include within the provisions of the "New Jersey Highway Traffic Safety Act of 1987", which will be created by Assembly Bill 3843, sections of law that were to have been repealed by that bill. The sections deal with the training of volunteer and nonvolunteer first aid, rescue, and ambulance squads and the funding of such training programs.

3 tailed presentation of the New Jersey Highway Traffic Safety Pro-
 4 gram, a statement concerning the progress made implementing the
 5 program, and recommendations concerning possible legislative
 6 action deemed necessary or desirable to implement the program.

1 14. Executive Orders No. 31 of 1951 and 39 of 1968 are hereby
 2 superseded. The "State Coordinating Council on Traffic and Safe-
 3 ty" established pursuant to Executive Order No. 31 of 1951 and
 4 the "Interdepartmental Highway Safety Program Committee"
 5 established pursuant to Executive Order No. 39 of 1968 are hereby
 6 abolished and the terms of office of the members thereof are hereby
 7 terminated. The functions, powers and duties of the Office of High-
 8 way Safety Liaison in the Department of Transportation estab-
 9 lished pursuant to Executive Order No. 39 of 1968 are hereby trans-
 10 ferred to the Office of Highway Traffic Safety in the Department
 11 of Law and Public Safety established hereunder.

1 15. The Office of Highway Safety in the Division of Motor Vehi-
 2 cles in the Department of Law and Public Safety, together with
 3 its powers, functions, and duties, is transferred to the Office of
 4 Highway Traffic Safety in the Department of Law and Public
 5 Safety. All references in any law, order, rule, regulation, contract,
 6 document, judicial or administrative, or otherwise, to the Office of
 7 Highway Safety in the Division of Motor Vehicles in the Depart-
 8 ment of Law and Public Safety or the manager thereof, shall mean
 9 the Office of Highway Traffic Safety in the Department of Law and
 10 Public Safety or the director thereof. All transfers shall be made
 11 pursuant to the "State Agency Transfer Act," P. L. 1971, c. 375
 12 (C. 52:14D-1 et seq.).

1 16. The "New Jersey Highway Safety Act of 1971," P. L. 1971,
 2 c. 351 (C. 27 :5F-1 et seq.) is repealed.

1 17. This act shall take effect immediately.

SPONSOR'S STATEMENT

This bill renames and revises the scope of the Office of Highway Safety. The new name of the office is to be the Office of Highway Traffic Safety, to emphasize that the office is concerned with traffic on the State's roadways rather than the roadways themselves.

While retaining the office in the Department of Law and Public Safety, this bill removes it from the jurisdiction of the Division of Motor Vehicles. It also removes from the office's duties the training and certifying of first aid, rescue and ambulance squads. These functions currently are performed by the Department of Health.

Finally, the bill allocates sections of law pertaining to the Office of Highway Traffic Safety to chapter 17B of Title 52 of the Revised

Statutes, rather than to Title 27 of the Revised Statutes, in order to place these sections near other sections of law dealing with the Department of Law and Public Safety.

LAW AND PUBLIC SAFETY—GENERAL
Renames and revises scope of Office of Highway Safety.
