

LEGISLATIVE HISTORY CHECKLIST

NJSA: 27:1B-1 et al ("New Jersey Transportation Trust Fund Authority Act of 1984")

LAWS OF: 1984 CHAPTER: 73

Bill No: S2047

Sponsor(s): Rand

Date Introduced: June 28, 1984

Committee: Assembly: -----

Senate: -----

Amended during passage: No Assembly substitute enacted

Date of Passage: Assembly: June 28, 1984

Senate: June 28, 1984

Date of Approval: July 10, 1984

Following statements are attached if available:

Sponsor statement: No Original bill not printed

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

- 974.90 New Jersey. Legislature. Senate.
- T764 Transportation and Communications Committee.
- 1984a Public hearing on S1446, held 4-9-84. Trenton, 1984.

(Over)

ORIGINAL COPY
DO NOT REMOVE FROM LIBRARY

974.90 New Jersey. Legislature. Senate.
T764 Transportation and Communications Committee.
1984c Public hearing on bonding and fiscal elements of the New Jersey
Transportation Trust Fund Authority Act of 1984, held 5-16-84.
Trenton, 1984.

974.90 New Jersey. Legislature. Assembly. Transportation and Communications
T764 Committee.
1984d Public hearing on transportation funding, held 5-14-84. Trenton, 1984.

See newspaper clipping file, "N.J.-Transportation-1984" in New Jersey Reference
Department.

Also attached: Comments from Governor Kean's Annual Message to the Legislature,
1-8-85, p. 29-32.

↓ 974.90 New Jersey. Legislature. Assembly. Transportation
T764 and Communications Committee
1984e Public Hearing on Transportation Funding.
held May 21, 1984. Trenton, 1984.
(Continuation of 5/14/84 hearing)

73

84

7-10-84

ASSEMBLY SUBSTITUTE FOR
SENATE, No. 2047

STATE OF NEW JERSEY

INTRODUCED JUNE 28, 1984

By Senator RAND, Assemblymen BRYANT, MARKERT, Senators COWAN, FELDMAN, FORAN, GAGLIANO, HURLEY, JACKMAN, McMANIMON and O'CONNOR, Assemblymen CUPROWSKI, FOY, GILL, DOYLE, KARCHER and Assemblywoman KALIK and all remaining members of the Assembly.

AN ACT concerning financing for the State's transportation system, creating the New Jersey Transportation Trust Fund Authority and defining its functions, duties and powers, including the authorization to issue bonds, notes and other obligations, creating the Transportation Trust Fund Account within the General Fund, providing for the credit to the Transportation Trust Fund Account of \$88 million and amounts equivalent to increases authorized in motor vehicle registration fees *and other fees and in the tax on diesel fuel*, providing for payment of funds of the New Jersey Transportation Trust Fund Authority to the Special Transportation Fund, and amending "The New Jersey Highway Authority Act," approved April 14, 1952 (P. L. 1952, c. 16), the "New Jersey Expressway Authority Act," approved February 19, 1962 (P. L. 1962, c. 10), and the "New Jersey Turnpike Authority Act of 1948," approved October 27, 1948 (P. L. 1948, c. 454) to provide authority for contractual payments by these toll road authorities to the State or the New Jersey Transportation Trust Fund Authority, amending various other parts of the statutory law and supplementing Title 27 of the Revised Statutes.

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

1 1. (New section) This act shall be known and may be cited as
2 the "New Jersey Transportation Trust Fund Authority Act of
3 1984."

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.

1 2. (New section) The Legislature finds and declares that:

2 a. A sound, balanced transportation system is vital to the future
3 of the State and is a key factor in its continued economic develop-
4 ment.

5 b. The transportation infrastructure of the State is among the
6 most heavily used in the nation and has deteriorated alarmingly
7 in recent years with parts of the highway system reaching the end
8 of their useful lives. This deterioration has been caused, in part,
9 because New Jersey, unlike most states and the federal govern-
10 ment, has not provided a stable source of transportation funding.

11 c. There exists an urgent need for a stable and assured method
12 of financing the planning, acquisition, engineering, construction,
13 reconstruction, repair and rehabilitation of the State's transporta-
14 tion system, including the financing of the State's share under fed-
15 eral aid highway laws of the cost of planning, acquisition, engi-
16 neering, construction, reconstruction, repair, resurfacing, and
17 rehabilitation of public highways and of the State's share of the
18 planning, acquisition, engineering, construction, reconstruction,
19 repair and rehabilitation of public transportation projects and
20 other transportation projects in the State, that will enable the
21 State to construct and maintain the safe, balanced, sound and
22 efficient transportation system necessary for the well being of the
23 State's citizens.

24 d. Unless additional State funding is provided immediately for
25 the State's transportation system, the cost of repair and reconstruc-
26 tion will increase geometrically and the economic well-being and
27 safety of users of the State's transportation system will be en-
28 dangered.

29 e. Transportation facilities under the jurisdiction of counties and
30 municipalities form an integral and vital part of the State's trans-
31 portation system. Without State aid, counties and municipalities
32 will be unable to meet the cost of maintaining, rehabilitating and
33 improving these facilities.

34 f. The State's commitment to the payment for and financing of
35 the State transportation system in a stable fashion, thus ensuring
36 a predictable and continuing public investment in transportation
37 and allowing the State to take full advantage of funds provided
38 by the federal government, is a public use and public purpose for
39 which public money may be expended and tax exemptions granted.
40 The powers and duties of the New Jersey Transportation Trust
41 Fund Authority and the other measures hereinafter described
42 are necessary and proper for the purpose of achieving the ends
43 herein recited.

1 3. (New section) The following words or terms as used in this
2 act shall have the following meaning unless a different meaning
3 clearly appears from the context:

4 a. "Act" means this New Jersey Transportation Trust Fund
5 Authority Act of 1984.

6 b. "Authority" means the New Jersey Transportation Trust
7 Fund Authority created by section 4 of this act.

8 c. "Bonds" means bonds issued by the authority pursuant to the
9 act.

10 d. "Commissioner" means the Commissioner of Transportation.

11 e. "Department" means the Department of Transportation.

12 f. "Federal aid highway" means any highway within the State
13 in connection with which the State receives payment or reimburse-
14 ment from the federal government under the terms of Title 23,
15 United States Code or any amendment, successor, or replacement
16 thereof, for the purposes contained in the act.

17 g. "Federal government" means the United States of America,
18 and any officer, department, board, commission, bureau, division,
19 corporation, agency or instrumentality thereof.

20 h. "New Jersey Expressway Authority" means the public cor-
21 poration created by section 4 of chapter 10 of the Laws of New
22 Jersey of 1962 as amended or its successor.

23 i. "New Jersey Highway Authority" means the public corpora-
24 tion created by section 4 of chapter 16 of the Laws of New Jersey
25 of 1952 as amended or its successor.

26 j. "New Jersey Turnpike Authority" means the public corpora-
27 tion created by section 4 of chapter 454 of the Laws of New Jersey
28 of 1948 as amended or its successor.

29 k. "Notes" means the notes issued by the authority pursuant to
30 the act.

31 l. "Public highways" means public roads, streets, expressways,
32 freeways, parkways, motorways and boulevards, including bridges,
33 tunnels, overpasses, underpasses, interchanges, rest areas, express
34 bus roadways, bus pullouts and turnarounds, park-ride facilities,
35 traffic circles, grade separations, traffic control devices, the elimina-
36 tion or improvement of crossings of railroads and highways,
37 whether at grade or not at grade, and any facilities, equipment,
38 property, rights of way, easements and interests therein needed for
39 the construction, improvement and maintenance of highways.

40 m. "Public transportation project" means in connection with
41 public transportation service, passenger stations, shelters and
42 terminals, automobile parking facilities, ramps, track connections,
43 signal systems, power systems, information and communication

44 systems, roadbeds, transit lanes or rights of way, equipment
 45 storage and servicing facilities, bridges, grade crossings, rail cars,
 46 locomotives, motorbus and other motor vehicles, maintenance and
 47 garage facilities, revenue handling equipment and any other equip-
 48 ment, facility or property useful for or related to the provision of
 49 public transportation service.

50 n. "State agency" means any officers, department, board, com-
 51 mission, bureau, division, agency or instrumentality of the State.

52 o. "Toll road authorities" means and includes the New Jersey
 53 Turnpike Authority, the New Jersey Highway Authority and the
 54 New Jersey Expressway Authority.

55 p. "Transportation project" means, in addition to public high-
 56 ways and public transportation projects, any equipment, facility or
 57 property useful or related to the provision of any ground, water-
 58 borne or air transportation for the movement of people and goods.

59 q. "Transportation system" means public highways, public
 60 transportation projects, other transportation projects, and all other
 61 methods of transportation for the movement of people and goods.

1 4. (New section) a. There is hereby established in the depart-
 2 ment a public body corporate and politic, with corporate succession,
 3 to be known as the "New Jersey Transportation Trust Fund Au-
 4 thority." For the purpose of complying with the provisions of
 5 Article V, Section IV, paragraph 1 of the New Jersey Constitution,
 6 the authority is hereby allocated within the Department of Trans-
 7 portation, but notwithstanding said allocation, the authority shall
 8 be independent of any supervision or control by the department
 9 or by any board or officer thereof. The authority is hereby consti-
 10 tuted as an instrumentality of the State exercising public and es-
 11 sential governmental functions no part of whose revenues shall
 12 accrue to the benefit of any individual, and the exercise by the
 13 authority of the powers conferred by the act shall be deemed and
 14 held to be an essential governmental function of the State.

15 b. The authority shall consist of five members as follows: the
 16 commissioner and the State Treasurer, who shall be members
 17 ex officio, and three public members, one of whom shall be appointed
 18 by the Governor, with the advice and consent of the Senate, and the
 19 two remaining to be appointed by the Governor, one of whom upon
 20 recommendation of the President of the Senate and the other
 21 upon recommendation of the Speaker of the General Assembly. No
 22 more than three members of the authority shall be of the same
 23 political party. The public members appointed by the Governor
 24 shall serve a four year term, except that the public member
 25 appointed by the Governor upon recommendation of the President

26 of the Senate shall serve for a four year term and the public
27 member appointed upon recommendation of the Speaker of the
28 General Assembly shall serve for a two year term.

29 With respect to those public members first appointed by the
30 Governor: the Senate shall advise and consent to the appointment
31 of the member not appointed upon recommendation of the President
32 and the Speaker within 30 days of the receipt thereof from the
33 Governor, such appointment having been sent by the Governor to
34 the Senate within 20 days following the effective date of this act;
35 the President of the Senate and the Speaker of the General
36 Assembly shall send their recommendations for public members to
37 the Governor within 20 days following the effective date of this act.
38 The Governor has an additional 10 days to accept or reject in
39 writing these recommendations.

40 Each public member shall hold office for the term of the member's
41 appointment and until the member's successor shall have been
42 appointed and qualified. A member shall be eligible for reappoint-
43 ment. Any vacancy in the membership occurring other than by
44 expiration of term shall be filled in the same manner as the original
45 appointment but for the unexpired term only.

46 c. Each public member, except those appointed upon recom-
47 mendation of the President of the Senate and the Speaker of the
48 General Assembly, may be removed from office by the Governor,
49 for cause, after public hearing, and may be suspended by the
50 Governor pending the completion of such hearing. All members
51 before entering upon their duties shall take and subscribe an
52 oath to perform the duties of their office faithfully, impartially and
53 justly to the best of their ability. A record of such oaths shall be
54 filed in the Office of the Secretary of State.

55 d. The authority shall not be deemed to be constituted and shall
56 not take action or adopt motions or resolutions until at least three
57 authorized members shall have been appointed and qualified in the
58 manner provided in this section. The commissioner shall serve as
59 chairperson of the authority. Prior to the authority being consti-
60 tuted, the chairperson is authorized to transfer up to \$75 million
61 to the department from the appropriations made to the authority
62 for the fiscal year commencing July 1, 1984. The members shall
63 annually elect one of their members as vice chairperson. The
64 members shall elect a secretary and a treasurer who need not be
65 members, and the same person may be elected to serve both as
66 secretary and treasurer. The powers of the authority shall be
67 vested in the members thereof in office from time to time and three
68 members of the authority shall constitute a quorum at any meeting

69 thereof. Action may be taken and motions and resolutions adopted
70 by the authority at any meeting thereof by the affirmative vote of
71 at least three members of the authority. No vacancy in the member-
72 ship of the authority shall impair the right of a quorum of the
73 members to exercise all the powers and perform all the duties of
74 the authority, except that the authority shall not have the power to
75 issue its initial offering of bonds, notes or other obligations unless
76 all five members of the authority shall have been appointed and
77 qualified.

78 e. The members of the authority shall serve without compensa-
79 tion, but the authority shall reimburse its members for actual ex-
80 penses necessarily incurred in the discharge of their duties. Not-
81 withstanding the provisions of any other law, no member shall be
82 deemed to have forfeited nor shall the member forfeit the member's
83 office or employment or any benefits or emoluments thereof by
84 reason of the member's acceptance of the office of ex officio member
85 of the authority or the member's services therein.

86 f. Each ex officio member may designate an employee of the
87 member's department or agency to represent the member at meet-
88 ings of the authority. All designees may lawfully vote and otherwise
89 act on behalf of the member for whom they constitute the designee.
90 The designation shall be in writing delivered to the authority and
91 shall continue in effect until revoked or amended in writing deli-
92 vered to the authority.

93 g. A true copy of the minutes of every meeting of the authority
94 shall be forthwith delivered by and under the certification of the
95 secretary thereof to the Governor. No action taken at the meeting
96 by the authority shall have force or effect until 15 days after such
97 copy of the minutes shall have been so delivered unless during
98 this 15-day period the Governor shall approve in writing the same
99 or any part thereof in which case the action shall become effective
100 upon approval. If, in said 15-day period, the Governor returns a
101 copy of the minutes with his veto of any action taken by the au-
102 thority or any member thereof at the meeting, the action shall be
103 null and void and of no effect. Notwithstanding the foregoing, if
104 the last day of the 15-day period shall be a Saturday, Sunday or
105 legal holiday, then the 15-day period shall be deemed extended to
106 the next following business day. The powers conferred in this
107 paragraph upon the Governor shall be exercised with due regard
108 for the rights of the holders of bonds, notes or other obligations
109 of the authority at any time outstanding, and nothing in, or done
110 pursuant to, this paragraph shall in any way limit, restrict or alter
111 the obligation or powers of the authority or any representative

112 or officer of the authority to carry out and perform in every detail
113 each and every covenant, agreement or contract at any time made
114 or entered into by or on behalf of the authority with respect to
115 its bonds, notes or other obligations or for the benefit, protection
116 or security of the holders thereof.

117 h. The authority shall continue in existence until dissolved by
118 act of the Legislature, except that it shall not continue in existence
119 beyond 17 years unless the Legislature shall by law prescribe
120 otherwise. However, any dissolution of this authority, by act of
121 the Legislature or otherwise, shall be on condition that the authority
122 has no debts, contractual duties or obligations outstanding or that
123 provision has been made for the payment, discharge or retirement
124 of these debts, contractual duties or obligations. Upon any dissolu-
125 tion of the authority all property, rights, funds and assets thereof
126 shall pass to and become vested in the State.

1 5. (New section) It shall be the sole purpose of the authority
2 created under this act, to provide the payment for and financing
3 of all, or a portion of, the costs incurred by the department for the
4 planning, acquisition, engineering, construction, reconstruction,
5 repair and rehabilitation of the State's transportation system, in-
6 cluding, without limitation, the State's share (including State ad-
7 vances with respect to any federal share) under federal aid highway
8 laws of the costs of planning, acquisition, engineering, construction,
9 reconstruction, repair, resurfacing and rehabilitation of public
10 highways, the State's share (including State advances with respect
11 to any federal share) of the costs of planning, acquisition, engi-
12 neering, construction, reconstruction, repair and rehabilitation of
13 public transportation projects and other transportation projects
14 in the State, and State aid to counties and municipalities for trans-
15 portation projects, all in furtherance of the public policy declared
16 in section 2 of the act, in the manner provided for in the act.

1 6. (New section) In addition to all other powers granted to the
2 authority in the act, the authority shall have power:

- 3 a. To sue and be sued;
- 4 b. To have an official seal and alter the same at its pleasure;
- 5 c. To make and alter bylaws for its organization and internal
6 management and rules and regulations for the conduct of its affairs
7 and business;
- 8 d. To maintain an office at a place or places within the State as
9 it may determine;
- 10 e. To acquire, hold, use and dispose of its income, revenues, funds
11 and moneys;

- 12 f. To acquire, own, lease as lessee or lessor, hold, use, sell, trans-
13 fer, and dispose of real or personal property for its purposes;
- 14 g. To borrow money and to issue its bonds, notes or other obli-
15 gations and to secure the same by its revenues or other funds and
16 otherwise to provide for and secure the payment thereof and to
17 provide for the rights of the holders thereof and to provide for
18 the refunding thereof all as provided in the act;
- 19 h. To issue subordinated indebtedness and to enter into bank
20 loan agreements, lines of credit, letters of credit and other security
21 agreements as provided for in the act;
- 22 i. In its own name or in the name of the State, to apply for and
23 receive and accept appropriations or grants of property, money,
24 services or reimbursements for money previously spent and other
25 assistance offered or made available to it by or from any person,
26 government, agency, public authority or any public and private
27 entity whatever for any lawful corporate purpose of the authority
28 including, without limitation, grants, appropriations or reimburse-
29 ments from the State or federal government with respect to their
30 respective shares under federal aid highway laws of the costs of
31 planning, acquisition, engineering, construction, reconstruction,
32 repair, resurfacing and rehabilitation of public highways or the
33 costs of planning, acquisition, engineering, construction, recon-
34 struction, repair and rehabilitation of public transportation proj-
35 ects and other transportation projects, in the State and the au-
36 thority's operating expenses and to apply and negotiate for the
37 same upon such terms and conditions as may be required by any
38 person, government, agency, authority or entity or as the authority
39 may determine to be necessary, convenient or desirable;
- 40 j. Subject to any agreement with the holders of bonds, notes or
41 other obligations, to invest moneys of the authority not required
42 for immediate use, including proceeds from the sale of any bonds,
43 notes or other obligations, in obligations, securities and other in-
44 vestments as the authority shall deem prudent;
- 45 k. Subject to any agreements with holders of bonds, notes or
46 other obligations, to purchase bonds, notes or other obligations of
47 the authority out of any funds or moneys of the authority available
48 therefor, and to hold, cancel or resell the bonds, notes or other
49 obligations;
- 50 l. For its sole purpose as established in section 5 of this act, to
51 appoint and employ an executive director and such additional offi-
52 cers who need not be members of the authority and such other
53 personnel and staff as it may require, at an annual expense not

54 to exceed \$100,000.00, all without regard to the provisions of Title
55 11, Civil Service, of the Revised Statutes;

56 m. To do and perform any acts and things authorized by the act
57 under, through, or by means of its officers, agents or employees or
58 by contracts with any person, firm or corporation or any public
59 body;

60 n. To procure insurance against any losses in connection with its
61 property, operations, assets or obligations in amounts and from
62 insurers as it deems desirable;

63 o. To make and enter into any and all contracts and agreements
64 which the authority determines are necessary, incidental, convenient
65 or desirable to the performance of its duties and the execution of
66 its powers under the act; and

67 p. To do any and all things necessary, convenient or desirable
68 to carry out its purposes and exercise the powers given and granted
69 in the act.

1 7. (New section) The authority shall have the power to accept
2 and use any funds appropriated and paid by the State to the au-
3 thority, including, without limitation, appropriations and payments
4 from the Transportation Trust Fund Account established pursuant
5 to the act, for the purposes for which the appropriations and pay-
6 ments are made.

1 8. (New section) The authority shall have the power to enter
2 into contracts (or take an assignment of the right and interests in
3 contracts entered into by the treasurer or commissioner) with each
4 toll road authority or other State agency to provide for payments
5 to it by each toll road authority or other State agency from avail-
6 able revenues of the amount or amounts that may be set forth in,
7 or determined in accordance with, the contract; provided however,
8 that no such contract shall contain specific provisions which direct
9 such toll road authority or other State agency to increase this.
10 Subject as aforesaid, each contract, or assignment, may contain
11 conditions and covenants as shall be agreed to by the authority and
12 by the affected toll road authority or other State agency and in the
13 case of an assignment as agreed to by the treasurer or commis-
14 sioner, including but not limited to conditions and covenants neces-
15 sary and desirable to facilitate the issuance and sale of bonds,
16 notes and other obligations of the authority. The authority may
17 receive and use (and contract for the use of) the amounts paid to
18 it pursuant to the contracts for any one or more of its corporate
19 purposes or powers.

1 9. (New section) a. The authority shall have the power and is
2 hereby authorized after November 15, 1984 and from time to time

3 thereafter to issue its bonds, notes or other obligations in principal
4 amounts as in the opinion of the authority shall be necessary to
5 provide for any of its corporate purposes, including the payment,
6 funding or refunding of the principal of, or interest or redemption
7 premiums on, any bonds, notes or other obligations issued by it
8 whether the bonds, notes, obligations or interest to be funded or
9 refunded have or have not become due; and to provide for the
10 security thereof and for the establishment or increase of reserves
11 to secure or to pay the bonds, notes or other obligations or interest
12 thereon and all other reserves and all costs or expenses of the au-
13 thority incident to and necessary or convenient to carry out its cor-
14 porate purposes and powers; and in addition to its bonds, notes
15 and other obligations the authority shall have the power to issue
16 subordinated indebtedness which shall be subordinate in lien to the
17 lien of any or all of its bonds or notes. No resolution or other action
18 of the authority providing for the issuance of bonds, refunding
19 bonds or other obligations shall be adopted or otherwise made ef-
20 fective by the authority without the prior approval in writing of
21 the Governor and either the State Treasurer or the Comptroller of
22 the Treasury.

23 b. Except as may be otherwise expressly provided in the act or
24 by the authority, every issue of bonds or notes shall be general
25 obligations payable out of any revenues or funds of the authority,
26 subject only to any agreements with the holders of particular bonds
27 or notes pledging any particular revenues or funds. The authority
28 may provide the security and payment provisions for its bonds or
29 notes as it may determine, including (without limiting the gener-
30 ality of the foregoing) bonds or notes as to which the principal
31 and interest are payable from and secured by all or any portion
32 of the revenues of and payments to the authority and other moneys
33 or funds as the authority shall determine. In addition, the au-
34 thority may, in anticipation of the issuance of the bonds or the
35 receipts of appropriations, grants, reimbursements or other funds,
36 including without limitation grants from the federal government
37 for federal aid highways or public transportation systems, issue
38 notes the principal of or interest on which or both shall be payable
39 out of the proceeds of notes, bonds or other obligations of the
40 authority or appropriations, grants, reimbursements or other funds
41 or revenues of the authority. The authority may also enter into
42 bank loan agreements, lines of credit and other security agreements
43 and obtain for or on its behalf letters of credit in each case for the
44 purpose of securing its bonds, notes or other obligations or to
45 provide direct payment of any costs which the authority is au-

46 thorized to pay by this act and to secure repayment of any bor-
47 rowings under the loan agreement, line of credit, letter of credit
48 or other security agreement by its bonds, notes or other obliga-
49 tions or the proceeds thereof or by any or all of the revenues of
50 and payments to the authority or by any appropriation, grant or
51 reimbursement to be received by the authority and other moneys
52 or funds as the authority shall determine.

53 c. Whether or not the bonds and notes are of the form and char-
54 acter as to be negotiable instruments under the terms of Title 12A,
55 Commercial Transactions, New Jersey Statutes, the bonds and
56 notes are hereby made negotiable instruments within the meaning
57 of and for all the purposes of said Title 12A.

58 d. Bonds or notes of the authority shall be authorized by a reso-
59 lution or resolutions of the authority and may be issued in one or
60 more series and shall bear the date, or dates, mature at the time
61 or times, bear interest at the rate or rates of interest per annum,
62 be in the denomination or denominations, be in the form, carry the
63 conversion or registration privileges, have the rank or priority,
64 be executed in the manner, be payable from the sources, in the
65 medium of payment, at the place or places within or without the
66 State, and be subject to the terms of redemption (with or without
67 premium) as the resolution or resolutions may provide. Bonds or
68 notes may be further secured by a trust indenture between the
69 authority and a corporate trustee within or without the State. All
70 other obligations of the authority shall be authorized by resolution
71 containing terms and conditions as the authority shall determine.

72 e. Bonds, notes or other obligations of the authority may be sold
73 at public or private sale at a price or prices and in a manner as the
74 authority shall determine. Every bond shall mature and be paid
75 not later than 17 years from the date thereof, except that no bond,
76 note or other obligation shall mature and be paid later than 17
77 years from the effective date of this act, nor shall any refunding
78 of such obligations mature or be paid later than that date.

79 Notes, the initial series of bonds and bonds issued for refunding
80 purposes of the authority may be sold at public or private sale at
81 a price or prices and in a manner as the authority shall determine.

82 Except as noted above, all bonds of the authority shall be sold
83 at such price or prices and in such manner as the authority shall
84 determine, after notice of sale, published at least three times in at
85 least three newspapers published in the State of New Jersey, and
86 at least once in a publication carrying municipal bond notices and
87 devoted primarily to financial news, published in New Jersey or
88 the City of New York, the first notice to be at least five days prior

89 to the day of bidding. The notice of sale may contain a provision
90 to the effect that any or all bids made in pursuance thereof may be
91 rejected. In the event of such rejection or of failure to receive any
92 acceptable bid, the authority, at any time within 60 days from the
93 date of such advertised sale, may sell such bonds at private sale
94 upon terms not less favorable to the State than the terms offered
95 by any rejected bid. The authority may sell all or part of the bonds
96 of any series as issued to any State fund or to the federal govern-
97 ment or any agency thereof, at private sale, without advertisement.

98 f. Bonds or notes may be issued and other obligations incurred
99 under the provisions of the act without obtaining the consent of
100 any department, division, commission, board, bureau or agency of
101 the State, other than the approval as required by subsection a. of
102 this section, and without any other proceeding or the happening
103 of any other conditions or other things than those proceedings,
104 conditions or things which are specifically required by the act.

105 g. Bonds, notes and other obligations of the authority issued
106 or incurred under the provisions of the act shall not be in any way
107 a debt or liability of the State or of any political subdivision thereof
108 other than the authority and shall not create or constitute any in-
109 debtedness, liability or obligation of the State or of any political
110 subdivision or be or constitute a pledge of the faith and credit of
111 the State or of any political subdivision but all bonds, notes and
112 obligations, unless funded or refunded by bonds, notes or other
113 obligations of the authority, shall be payable solely from revenues
114 or funds pledged or available for their payment as authorized in
115 the act. Each bond, note or other obligation shall contain on its
116 face a statement to the effect that the authority is obligated to
117 pay the principal thereof or the interest thereon only from rev-
118 enues or funds of the authority and that neither the State nor any
119 political subdivision thereof is obligated to pay the principal or
120 interest and that neither the faith and credit nor the taxing power
121 of the State or any political subdivision thereof is pledged to the
122 payment of the principal of or the interest on the bonds, notes or
123 other obligations. For the purposes of this subsection, political
124 subdivision does not include the authority.

125 h. All expenses incurred in carrying out the provisions of the
126 act shall be payable solely from revenues or funds provided or to
127 be provided under or pursuant to the provisions of the act and
128 nothing in the act shall be construed to authorize the authority to
129 incur any indebtedness or liability on behalf of or payable by the
130 State or any political subdivision thereof.

131 i. The aggregate principal amount of bonds, notes or other ob-

132 ligations, including subordinated indebtedness of the authority,
133 may not exceed \$600,000,000.00. If in any fiscal year appropria-
134 tions by the Legislature to the authority, and amounts received in
135 accordance with contracts entered into with the toll road authori-
136 ties if those amounts are not included in legislative appropriations,
137 shall be in excess of \$143,000,000.00, the aggregate principal
138 amount of \$600,000,000.00 shall be reduced by an amount equal to
139 the excess. In computing the foregoing limitations there shall be
140 excluded all the bonds, notes or other obligations, including sub-
141 ordinated indebtedness of the authority, which shall be issued for
142 refunding purposes, provided that the refunding shall be deter-
143 mined by the authority to result in a debt service savings.

144 The authority shall minimize debt incurrence by first relying on
145 appropriations and other revenues available to the authority before
146 incurring debt to meet its statutory purposes.

147 The authority shall not incur debt at any time in any fiscal year
148 in excess of the difference between the amount of appropriations
149 and other revenues to the authority theretofore made in that fiscal
150 year and the amount which the Department of Transportation is
151 permitted to commit for transportation projects under the act in
152 that fiscal year as indicated in the budget, plus reasonably neces-
153 sary expenses, required debt reserve funds, debt service and out-
154 standing financial obligations from prior fiscal years of the
155 authority.

156 Debt which would have been incurred pursuant to this section
157 which is not incurred in any fiscal year, may be issued in sub-
158 sequent years.

1 10. (New section) In any resolution of the authority authorizing
2 or relating to the issuance of any bonds, notes or other obligations
3 or in any indenture securing the bonds, notes or other obligations,
4 the authority, in order to secure the payment of the bonds, notes
5 or other obligations and in addition to its other powers, shall have
6 the power by provisions therein which shall constitute covenants
7 by the authority and contracts with the holders of the bonds, notes
8 or other obligations:

9 a. To pledge all or any part of its revenues or receipts to which
10 its right then exists or may thereafter come into existence and
11 other moneys or funds as the authority shall determine and the
12 moneys derived therefrom, and the proceeds of any bonds, notes
13 or other obligations;

14 b. To pledge any agreement including, without limitation, the
15 contract or contracts referred to in section 23 of the act, contracts
16 with the toll road authorities or other State agencies, and any

- 17 grant, contract, or agreement with the federal government or the
18 revenues or payments thereunder and the proceeds thereof;
- 19 c. To covenant against pledging all or any part of its revenues
20 or receipts or its agreements and the revenues derived thereunder
21 or the proceeds thereof and other moneys or funds as the authority
22 shall determine and the moneys derived therefrom or against per-
23 mitting or suffering any lien on any of the foregoing;
- 24 d. To covenant with respect to limitations on any right to sell,
25 lease or otherwise dispose of any property of any kind;
- 26 e. To covenant as to any bonds, notes and other obligations to
27 be issued and the limitations thereof and the terms and conditions
28 thereof and as to the custody, application, investment, and dispo-
29 sition of the proceeds thereof;
- 30 f. To covenant as to the issuance of additional bonds, or notes
31 or other obligations or as to limitations on the issuance of addi-
32 tional bonds, notes or other obligations and on the incurring of
33 other debts by it;
- 34 g. To covenant as to the payment of the principal of or interest
35 on the bonds, notes, or other obligations, as to the sources and
36 methods of payment, as to the rank or priority of any bonds, notes
37 or obligations with respect to any lien or security or as to the
38 acceleration of the maturity of any bonds, notes or obligations;
- 39 h. To provide for the replacement of lost, stolen, destroyed or
40 mutilated bonds, notes or other obligations;
- 41 i. To covenant against extending the time for the payment of
42 bonds, notes or other obligations or interest thereon;
- 43 j. To covenant as to the redemption of bonds, notes or other
44 obligations and privileges of exchange thereof for other bonds,
45 notes or other obligations of the authority;
- 46 k. Subject to the rights and security interests of the holders
47 from time to time of bonds, notes or other obligations heretofore
48 or hereafter issued by each of the toll road authorities or other
49 State agencies, to covenant as to the enforcement of any term in
50 any agreement, entered into pursuant to the act, to which the au-
51 thority is a party or an assignee, fixing amounts of funds of the
52 toll road authorities or other State agencies to be paid over to and
53 received by the authority in each year or other period of time,
54 including any term concerning the fixing of tolls and other charges
55 by the toll road authorities or other State agencies at rates as shall
56 be necessary to provide the amounts of funds;
- 57 l. To covenant to create or authorize the creation of special funds
58 or moneys to be held in pledge or otherwise for payment or re-
59 demption of bonds, notes, or other obligations, reserves or other

60 purposes and as to the use, investment, and disposition of the
61 moneys held in the funds;

62 m. To establish the procedure, if any, by which the terms of any
63 contract or covenant with or for the benefit of the holders of bonds,
64 notes or other obligations may be amended or abrogated, the amount
65 of bonds, notes or other obligations the holders of which must
66 consent thereto, and the manner in which the consent may be given;

67 n. To provide for the release of property, agreements, or rev-
68 enues and receipts from any pledge and to reserve rights and
69 powers in, or the right to dispose of, property which is subject to
70 a pledge;

71 o. To provide for the rights and liabilities, powers and duties
72 arising upon the breach of any covenant, condition or obligation
73 and to prescribe the events of default and the terms and conditions
74 upon which any or all of the bonds, notes or other obligations of
75 the authority shall become or may be declared due and payable
76 before maturity and the terms and conditions upon which any
77 declaration and its consequences may be waived;

78 p. To vest in a trustee or trustees within or without the State
79 such property, rights, powers and duties in trust as the authority
80 may determine, and to limit the rights, duties and powers of such
81 trustee;

82 q. To execute all bills of sale, conveyances, deeds of trust and
83 other instruments necessary or convenient in the exercise of its
84 powers or in the performance of its covenants or duties;

85 r. To pay the costs or expenses incident to the enforcement of
86 the bonds, notes or other obligations or of the provisions of the
87 resolution or of any covenant or agreement of the authority with
88 the holders of its bonds, notes or other obligations;

89 s. To limit the rights of the holders of any bonds, notes or other
90 obligations to enforce any pledge or covenant securing the bonds,
91 notes or other obligations; and

92 t. To make covenants, in addition to the covenants herein ex-
93 pressly authorized, of like or different character, and to make
94 covenants to do or refrain from doing acts and things as may be
95 necessary, or convenient and desirable, in order to better secure
96 bonds, notes or other obligations or which in the absolute discretion
97 of the authority will tend to make bonds, notes or other obliga-
98 tions more marketable, notwithstanding that the covenants, acts
99 or things may not be enumerated herein.

1 11. (New section) Any pledge of revenues, moneys, funds or
2 other property made by the authority shall be valid and binding
3 from the time when the pledge is made; the revenues, moneys, funds

4 or other property so pledged and thereafter received by the au-
5 thority shall immediately be subject to the liens of the pledge with-
6 out any physical delivery thereof or further act, and the lien of
7 any pledge shall be valid and binding as against all parties having
8 claims of any kind in tort, contract or otherwise against the au-
9 thority, irrespective of whether the parties have notice thereof.
10 Neither the resolution nor any other instrument by which a pledge
11 of revenues, moneys or funds is created need be filed or recorded
12 except in the records of the authority.

1 12. (New section) Neither the members of the authority nor any
2 person executing bonds or notes or other obligations issued pur-
3 suant to this act shall be liable personally on the bonds, notes or
4 other obligations by reason of the issuance thereof.

1 13. (New section) The authority may establish reserves, funds
2 or accounts as may be, in its discretion, necessary or desirable to
3 further the accomplishment of the purposes of the authority or to
4 comply with the provisions of any agreement made by or any reso-
5 lution of the authority.

1 14. (New section) The State does hereby pledge to and covenant
2 and agree with the holders of any bonds, notes or other obligations
3 issued or incurred pursuant to the authorization of the act that the
4 State will not limit or alter the rights or powers hereby vested in
5 the authority in any way that would jeopardize the interest of the
6 holders or inhibit or prevent performance or fulfillment by the
7 authority of the terms of any agreement made with the holders of
8 the bonds, notes or other obligations, or prevent the authority from
9 obtaining sufficient revenues which, together with other available
10 funds, shall be sufficient to meet all expenses of the authority and
11 fulfill the terms of any agreement made with the holders of the
12 bonds, notes or other obligations, together with interest thereon,
13 with interest on any unpaid installments of interest, and all costs
14 and expenses in connection with any action or proceedings by or
15 on behalf of the holders, or from receiving payment of funds of
16 the toll road authorities or other State agencies as provided in
17 any agreement provided for in the act, until the bonds, notes or
18 other obligations, together with interest thereon, are fully met
19 and discharged or provided for. The standards required to be
20 followed by the State in complying with the foregoing covenant
21 shall be no more or less restrictive than the standards required to
22 be followed by the State under its covenants with the toll road
23 authorities in section 7 of P. L. 1948, c. 454 (C. 27:23-7), section 11
24 of P. L. 1952, c. 16 (C. 27:12B-11) and section 41 of P. L. 1962, c. 10
25 (C. 27:12C-41). The failure of the State to appropriate moneys

26. for any purpose of the act shall not be deemed or construed to be
27. a violation of this section.

1 15. (New section) The State and all public officers, government-
2 tal units and agencies thereof, all banks, trust companies, savings
3 banks and institutions, building and loan associations, savings and
4 loan associations, investment companies, and other persons carry-
5 ing on a banking business, all insurance companies, insurance as-
6 sociations and other persons carrying on an insurance business,
7 and all executors, administrators, guardians, trustees and other
8 fiduciaries, may legally invest any sinking funds, moneys or other
9 funds belonging to them or within their control in any bonds or
10 notes issued pursuant to the act, and the bonds or notes shall be
11 authorized security for any and all public deposits.

1 16. (New section) All property of the authority is declared to
2 be public property devoted to an essential public and governmental
3 function and purpose and shall be exempt from all taxes and special
4 assessments of the State or any political subdivision thereof. All
5 bonds, notes or other obligations issued pursuant to the act are
6 hereby declared to be issued by a body corporate and politic of the
7 State and for an essential public and governmental purpose and
8 the bonds, notes and other obligations, and the interest thereon
9 and the income therefrom, and all funds, revenues, income and
10 other moneys received or to be received by the authority and
11 pledged or available to pay or secure the payment of the bonds,
12 notes and other obligations, or interest thereon, shall at all times
13 be exempt from taxation except for transfer, inheritance and estate
14 taxes.

1 17. (New section) On or before the first day of September in
2 each year the authority shall make an annual report of its activities
3 for the preceding fiscal year to the Governor and to the Legislature,
4 in addition to responding to other requests made by the Legislature
5 from time to time. Each such report shall set forth a complete
6 operating and financial statement covering its operations during
7 the year. The authority shall cause an audit of its books and ac-
8 counts to be made at least once in each year by certified public
9 accountants and the cost thereof shall be considered an expense of
10 the authority and a copy thereof shall be filed with the Comptroller
11 of the Treasury. Notwithstanding the provisions of any law to the
12 contrary, the State Auditor or his legally authorized representative
13 may examine the accounts and books of the authority.

14 Not later than the end of the fifth year following the effective
15 date of this act, the Senate Transportation and Communications
16 Committee and the Assembly Transportation and Communications

17 Committee, or their successors, shall undertake a review of the
18 implementation of this act and of the operation of the authority
19 and make such recommendations as they deem necessary.

20 The department shall from time to time but not less than every
21 six months report to the Senate and Assembly Transportation and
22 Communications Committees on the status of each project, includ-
23 ing public highways, financed pursuant to this act. The report shall
24 also include information on major changes in project status or
25 major impediments to the accomplishment of the planned projects.

1 18. (New section) All officers, departments, boards, agencies, di-
2 visions and commissions of the State are hereby authorized and
3 empowered to render any and all services to the authority as may
4 be within the area of their respective governmental functions as
5 fixed or established by law, and as may be requested by the au-
6 thority. Insofar as possible, the cost and expense of any services
7 shall be met and provided for by such officers, departments, boards,
8 agencies, divisions and commissions.

1 19. (New section) The commissioner is authorized to adopt such
2 rules and regulations, in accordance with the "Administrative
3 Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), as he
4 deems necessary to effectuate the purposes of the act.

1 20. (New section) There is hereby established in the General
2 Fund an account entitled "Transportation Trust Fund Account."
3 During the fiscal year beginning July 1, 1984 and during each
4 succeeding fiscal year in which the authority has bonds, notes or
5 other obligations outstanding, the treasurer shall credit to this
6 account commencing with the last business day of August 1984 and
7 on the last business day of each succeeding calendar month an
8 amount not less than \$7,333,333.00, provided that if the effective
9 date of the act shall be later than July 1984, the initial credit shall
10 be an amount equal to that which would have been credited to the
11 account had the act become effective on July 1, 1984, and further
12 provided that the amount credited during any fiscal year shall not
13 be less than \$88,000,000.00; and an amount equivalent to moneys
14 received by the State in accordance with contracts entered into
15 with toll road authorities or other State agencies. The treasurer
16 shall also credit to this account, in accordance with a contract be-
17 tween the treasurer and the authority, an amount equivalent to
18 the sum of the revenues due from the increase of fees for motor
19 vehicle registrations collected pursuant to the amendment to R. S.
20 39:3-20 made by this act and from the increase of fees for motor
21 fuels user identification markers collected pursuant to the amend-
22 ment to section 10 of P. L. 1963, c. 44 (C. 54:39A-10) made by this

23 act and from the increase in the tax on diesel fuels imposed pur-
24 suant to the amendment to R. S. 54:39-27 made by this act, pro-
25 vided that the total amount credited during the fiscal year begin-
26 ning July 1, 1984 shall not be less than \$20,000,000.00 and that the
27 total amount credited during the fiscal year beginning July 1, 1985
28 and during every fiscal year thereafter shall not be less than
29 \$30,000,000.00. No later than the fifth business day of the month
30 following the month in which a credit has been made, the treasurer
31 shall pay to the authority, for its purposes as provided herein, the
32 amounts then credited to the Transportation Trust Fund Account,
33 provided that the payments to the authority shall be subject to and
34 dependent upon appropriations being made from time to time by
35 the Legislature of the amounts thereof for the purposes of the act.

1 21. a. (New section) There is hereby established a separate fund
2 entitled "Special Transportation Fund." This fund shall be main-
3 tained by the State Treasurer and may be held in depositories as
4 may be selected by the treasurer and invested and reinvested as
5 other funds in the custody of the treasurer in the manner provided
6 by law. The commissioner may from time to time (but not more
7 frequently than monthly) certify to the authority an amount nec-
8 essary to fund payments made, or anticipated to be made by or
9 on behalf of the department, from appropriations established for
10 or made to the department from revenues or other funds of the
11 authority. The commissioner's certification shall be deemed con-
12 clusive for purposes of the act. The authority shall within 15 days
13 of receipt of the certificate, transfer from available funds of the
14 authority to the treasurer for deposit in the Special Transportation
15 Fund the amount certified by the commissioner, provided that all
16 funds transferred shall only be expended by the department pur-
17 suant to appropriations or authorizations made from time to time
18 by the Legislature for the purposes of the act.

19 b. The department shall not expend any money except as ap-
20 propriated by law. Commencing with appropriations for the fiscal
21 years beginning on July 1, 1985 or for any subsequent fiscal years,
22 the Legislature shall make a categorical or specific appropriation
23 by project or authorization of funds to be expended by the depart-
24 ment in the annual appropriations act or in a supplemental appro-
25 priations act which shall be passed by June 30 preceding the fiscal
26 year to which it pertains. This section shall apply to appropria-
27 tions for the fiscal years beginning July 1, 1985.

28 c. No funds, appropriated, authorized or expended pursuant to
29 this act shall be used to finance the resurfacing of highways by
30 department personnel where that resurfacing would require the

31 use of more than 150,000 tons of bituminous concrete for that pur-
 32 pose in any calendar year, except that the commissioner may waive
 33 this provision when he determines the existence of emergency con-
 34 ditions requiring the use of department personnel for the resurfac-
 35 ing of highways after the department has effectively reached the
 36 150,000 ton limit.

1 22. (New section) To the end that the transportation system of
 2 the State shall be planned in an orderly and efficient manner and
 3 that the Legislature shall be advised of the nature and extent of
 4 public highways, public transportation projects and other trans-
 5 portation projects contemplated to be financed under this act, the
 6 department shall submit a master plan, as provided in subsection
 7 (a) of section 5 of P. L. 1966, c. 301 (C. 27:1A-5). Notwithstand-
 8 ing the provisions of that act, the plan shall be for a period of five
 9 years and shall be submitted to the Commission on Capital Budget-
 10 ing and Planning, the Chairman of the Senate Transportation and
 11 and Communications Committee and the Chairman of the Assembly
 12 Transportation and Communications Committee, or their succes-
 13 sors, and the Legislative Budget Officer, on or before December 15,
 14 1984, and at five year intervals thereafter.

15 On or before April 1 of each year, the commissioner shall submit
 16 a report of proposed projects, including but not limited to public
 17 highways, to be financed in an ensuing fiscal year, including there-
 18 with a description of the projects, the county or counties within
 19 which they are to be located, a distinction between State and local
 20 projects, and the amount estimated to be expended on each project.
 21 The report shall be submitted to the Senate and General Assembly.
 22 Within 21 days of the receipt thereof, the Senate or the General
 23 Assembly may object in writing to the commissioner in regard to
 24 any project or projects it disapproves or which it is of the opinion
 25 should be modified or added to or any additional or alternative
 26 projects considered. The commissioner shall consider the objec-
 27 tions and recommendations and resubmit the report within 10 days
 28 containing therein any modifications based upon his consideration
 29 of the objections or recommendations. The Senate or General As-
 30 sembly may, at its discretion, or at the request of the Joint Appro-
 31 priations Committee, report to the Joint Appropriations Com-
 32 mittee its findings and recommendations concerning appropriations
 33 to the department for the ensuing fiscal year for consideration by
 34 the Joint Appropriations Committee in reviewing the Governor's
 35 recommended appropriations for the ensuing fiscal year.

1 23. (New section) In order to implement the arrangement pro-
 2 vided for in the act, the treasurer, the commissioner and the au-

3 thority are hereby authorized to enter into one or more contracts.
 4 The contracts shall commence with the fiscal year beginning July 1,
 5 1984, and provide for the credit to the Transportation Trust Fund
 6 Account in the amounts provided for in section 20 of the act and
 7 for the payment to the authority of the amounts credited to the
 8 Transportation Trust Fund Account in accordance with the pro-
 9 visions of section 20 of the act. The contracts shall also provide
 10 for the payment by the authority of the amounts provided for in
 11 section 21 of the act and for expenditures from the Special Trans-
 12 portation Fund as provided in section 21 of the act. The contract
 13 or contracts shall be on terms and conditions as determined by the
 14 parties and may contain terms and conditions necessary and de-
 15 sirable to secure the bonds, notes and other obligations of the
 16 authority, provided, however, that the incurrence of any obligation
 17 by the State under the contract or contracts, including any pay-
 18 ments to be made thereunder from the Transportation Trust Fund
 19 Account or the Special Transportation Fund, shall be subject to
 20 and dependent upon appropriations being made from time to time
 21 by the Legislature for the purposes of the act.

1 24. (New section) Subject to those definitions and procedures
 2 as the commissioner may prescribe by regulations, with respect to
 3 moneys appropriated or authorized pursuant to this act and
 4 expended with private firms for construction and professional
 5 services, not less than 10% of the moneys shall be expended, either
 6 directly or through subcontracting requirements, with business
 7 concerns owned and controlled by socially and economically dis-
 8 advantaged individuals and, in addition to and exclusive of this
 9 requirement, not less than 4% of the moneys shall be expended,
 10 either directly or through subcontracting requirements, with busi-
 11 ness concerns owned and controlled by women.

1 25. (New section) a. Notwithstanding the provisions of subtitle 4
 2 of Title 27 of the Revised Statutes and P. L. 1946, c. 301
 3 (C. 27:15A-1 et seq.), the commissioner may, pursuant to appro-
 4 priations or authorizations being made from time to time by the
 5 Legislature according to law, allocate to counties and municipalities
 6 funds for the planning, acquisition, engineering, construction, re-
 7 construction, repair, resurfacing and rehabilitation of public high-
 8 ways and the planning, acquisition, engineering, construction,
 9 reconstruction, repair and rehabilitation of public transportation
 10 projects and of other transportation projects which a county or
 11 municipality may be authorized by law to undertake. In the case of
 12 a county or municipality for which an allocation has been made for
 13 the federal fiscal year beginning October 1, 1983, of an amount of
 14 federal aid for the federal aid urban system as defined in 23 U. S. C.

15 103, the amount of State aid allocated under this section in any fiscal
 16 year shall not be less than the amount of federal aid so allocated,
 17 together with the amount of matching funds required under federal
 18 law. No allocation shall be made to a county or municipality with-
 19 out certification by the commissioner (1) that there exists with
 20 respect to that county or municipality a comprehensive plan, or
 21 plans, which he has approved, for the effective allocation, utilization
 22 and coordination of available federal and State transportation aid,
 23 and (2) that the county or municipality has agreed that State aid
 24 provided under this section is provided in lieu of federal aid for the
 25 federal aid urban system program and that any federal aid for the
 26 federal aid urban system program attributable to the area will be
 27 programmed by the Department of Transportation for projects of
 28 regional significance. In any year in which insufficient funds have
 29 been appropriated to meet the minimum county allocations esta-
 30 blished in this section, or if no appropriation is provided, the
 31 commissioner shall determine on a prorated basis the amount of
 32 the deficiency for each county having a minimum allocation and
 33 allocate from funds available under the federal aid urban system
 34 program sufficient funds to meet the minimum allocations.

35 b. The commissioner shall, pursuant to appropriations or autho-
 36 rizations being made from time to time by the Legislature according
 37 to law, allocate at his discretion State aid to municipalities for
 38 public highways under their jurisdiction and for emergency trans-
 39 portation projects, except that the amount to be appropriated for
 40 this program shall be 4/19 of the aggregate amount appropriated
 41 pursuant to subsection b. and c. of this section.

42 c. The commissioner shall, pursuant to appropriations or autho-
 43 rizations being made from time to time by the Legislature according
 44 to law, allocate State aid to municipalities for public highways
 45 under their jurisdiction, except that the amount to be appropriated
 46 for this purpose shall be 15/19 of the aggregate amount appro-
 47 priated pursuant to subsections b. and c. of this section. The
 48 amount to be appropriated shall be allocated on the basis of the
 49 following distribution factor:

$$50 \quad DF = \frac{Pc}{Ps} + \frac{Cm}{Sm}$$

51 where, DF equals the distribution factor

52 Pc equals county population

53 Ps equals State population

54 Cm equals municipal road mileage within the county

55 Sm equals municipal road mileage within the State.

56 After the amount of aid has been allocated based on the above
 57 formula, the commissioner shall determine priority for the funding
 58 of municipal projects within each county based upon criteria re-
 59 lating to volume of traffic, safety considerations, growth potential,
 60 readiness to obligate funds and local taxing capacity.

61 For the purposes of this subsection, (1) "population" means
 62 the official population count as reported by the New Jersey
 63 Department of Labor; and (2) "municipal road mileage" means
 64 that road mileage under the jurisdiction of municipalities, as
 65 determined by the department.

1 26. (New section) It shall be lawful for each county and munici-
 2 pality, upon notification by the commissioner of approval for and
 3 the amount of State aid allocated to a project, to include an amount
 4 equal to the amount of such State aid in its annual budget and any
 5 amendments and supplements thereto. Immediately thereafter,
 6 commitments may be made by counties and municipalities against
 7 the amounts so included in their budgets and amendments and
 8 supplements thereto.

1 27. (New section) When the commissioner shall notify the gov-
 2 erning body of a county or municipality of the amount of State
 3 funds allocated to a project, the governing body may borrow money
 4 on temporary loan to an amount not to exceed the amount of the
 5 State funds allocated to the project in anticipation of the payment
 6 of the amount of State funds so allocated to the county or munici-
 7 pality, and may apply the proceeds of the loan to the payment of
 8 the cost of the project. The temporary loan shall be repaid upon
 9 payment to the county or municipality of the sum in anticipation
 10 of payment of which the loan was made.

1 28. Section 5 of P. L. 1952, c. 16 (C. 27:12B-5) is amended to
 2 read as follows:

3 5. The authority shall be a body corporate and politic and shall
 4 have perpetual succession and shall have the following powers:

5 (a) To adopt bylaws for the regulation of its affairs and the
 6 conduct of its business;

7 (b) To adopt an official seal and alter the same at pleasure;

8 (c) To maintain an office at such place or places within or with-
 9 out the State as it may designate;

10 (d) To sue and be sued in its own name;

11 (e) To acquire, construct, maintain, repair and operate projects;

12 (f) To acquire, lease, build, improve, maintain and operate one
 13 or more ferry boats and other craft between a point in Cape May
 14 county, New Jersey, and a point in Lewes, Delaware, and to trans-
 15 port passengers and freight between said points by means of such
 16 boats;

17 (g) To acquire in cooperation with the Department of **Conservation and Economic Development** *Environmental Protection*
 18 limited roadside areas adjoining said projects and transfer any or
 19 all of such areas to the Department of **Conservation and Economic**
 20 **Development** *Environmental Protection* so that said department
 21 may maintain such areas as roadside parks;

22 (h) To issue bonds or notes of the authority and to provide for
 23 the rights of the holders thereof as provided in this act;

24 (i) **To** *In the exercise of any of its powers to fix and revise*
 25 from time to time and charge and collect tolls or other charges for
 26 transit over or use of any project acquired or constructed by it;

27 (j) To establish and enforce rules and regulations for the use
 28 of any project;

29 (k) To acquire, hold and dispose of real and personal property
 30 in the exercise of its powers and the performance of its duties
 31 under this act;

32 (l) To acquire in the name of the authority by purchase or other-
 33 wise, on such terms and conditions and in such manner as it may
 34 deem proper, or by the exercise of the power of eminent domain,
 35 any land and other property, including land under water and ri-
 36 parian rights, within or without the State of New Jersey, which
 37 it may determine is reasonably necessary for any project or for
 38 the relocation or reconstruction of any public highway by the au-
 39 thority under the provisions of this act or for the construction of
 40 any feeder road which the authority is or may be authorized to
 41 construct and any and all rights, title and interest in such land
 42 and other property, including public lands, parks, playgrounds,
 43 reservations, highways or parkways, owned by or in which any
 44 county, city, borough, town, township, village, or other political
 45 subdivision of the State of New Jersey has any right, title or in-
 46 terest, or parts thereof or rights therein and any fee simple ab-
 47 solute or any lesser interest in private property, and any fee simple
 48 absolute in, easements upon, or the benefit of restrictions upon
 49 abutting property to preserve and protect projects;

50 (m) To locate and designate, and to establish, limit and control
 51 such points of ingress to and egress from each project as may be
 52 necessary or desirable in the judgment of the authority to insure
 53 the proper operation and maintenance of such project, and to pro-
 54 hibit entrance to such project from any point or points not so
 55 designated;

56 (n) To take title or any lesser interest to any land or other prop-
 57 erty in the State of Delaware in any manner permitted by the laws
 58 of Delaware. Whenever such property located in the State of
 59

60 Delaware cannot be acquired by the authority in its name or in
61 that of its nominee or trustee by agreement, and the Highway
62 Department of the State of Delaware is willing to condemn such
63 property for the use of the project if reimbursed by the authority
64 for the condemnation money or damages awarded in such condem-
65 nation and the expenses thereof, the authority is authorized and
66 empowered to enter into an agreement of reimbursement with the
67 Highway Department of the State of Delaware for such condemna-
68 tion money or damages and expenses and to secure the same by
69 a deposit of cash or otherwise and to reimburse the Highway De-
70 partment of the State of Delaware or other proper department or
71 agency of the State of Delaware for all condemnation money or
72 damages and costs legally awarded or incurred in such condem-
73 nation;

74 (o) To make and enter into all contracts and agreements neces-
75 sary or incidental to the performance of its duties and the execu-
76 tion of its powers under this act;

77 (p) To construct, maintain, repair and operate any feeder road
78 or any public highway connecting parts of a project or two or more
79 projects which in the opinion of the authority will increase the use
80 of a project or projects, to take over for maintenance, repair and
81 operation any existing public highway as a feeder road, and to
82 realign any such existing public highway and build additional sec-
83 tions of road over new alignment in connection with such existing
84 public highway;

85 (q) To appoint such additional officers (who need not be members
86 of the authority) and employ such consulting engineers, attorneys,
87 accountants, construction and financial experts, superintendents,
88 managers and other employees and agents as the authority deems
89 advisable and as may be necessary in its judgment; to fix their
90 compensation; and to promote and discharge such officers, em-
91 ployees and agents; all without regard to the provisions of Title 11
92 of the Revised Statutes;

93 (r) To receive and accept from any federal agency, subject to
94 the approval of the Governor, grants for or in aid of the acquisition
95 or construction of any project, and to receive and accept aid or
96 contributions, except appropriations by the Legislature, from any
97 source, of either money, property, labor or other things of value,
98 to be held, used and applied only for the purposes for which such
99 grants and contributions may be made;

100 (s) *Subject to the rights and security interests of the holders*
101 *from time to time of bonds or notes heretofore or hereafter issued*
102 *by the New Jersey Highway Authority, to enter into contracts with*

103 *the State or the New Jersey Transportation Trust Fund Authority*
 104 *established by section 4 of the New Jersey Transportation Trust*
 105 *Fund Authority Act of 1984, P. L. 19 , c. . . . (C.),*
 106 *providing for the payment from the revenues of the Highway Au-*
 107 *thority to the State or to the New Jersey Transportation Trust*
 108 *Fund Authority of the amount or amounts of revenues that may*
 109 *be set forth in or determined in accordance with the contracts.*
 110 *Any contracts authorized pursuant to this section may include con-*
 111 *ditions and covenants necessary and desirable to facilitate the is-*
 112 *suance and sale of bonds, notes and other obligations of the New*
 113 *Jersey Transportation Trust Fund Authority. Any agreements*
 114 *entered into between the State and the Highway Authority pur-*
 115 *suant to this subsection shall terminate upon the effective date of*
 116 *any agreement entered into between the New Jersey Transporta-*
 117 *tion Trust Fund Authority and the Highway Authority providing*
 118 *for the payment of revenues of the Highway Authority directly*
 119 *from the Highway Authority to the New Jersey Transportation*
 120 *Trust Fund Authority.*

121 **[(s)]** *(t)* To do all acts and things necessary or convenient to
 122 carry out the powers and duties expressly provided in this act;
 123 and

124 **[(t)]** *(u)* To exercise all of the foregoing powers in the State
 125 of Delaware in so far as permitted by the laws of that state, and
 126 to apply to the authorities in the State of Delaware for all fran-
 127 chises, permits and licenses necessary to exercise such powers.

128 Nothing contained in this act shall be construed to authorize or
 129 empower the authority to acquire State property by the exercise
 130 of the power of eminent domain.

1 29. Section 11 of P. L. 1962, c. 10 (C. 27:12C-11) is amended
 2 to read as follows:

3 11. The authority shall be a public body corporate and politic
 4 and shall have perpetual succession and shall have the following
 5 powers:

6 (a) To adopt bylaws for the regulation of its affairs and the
 7 conduct of its business;

8 (b) To adopt and have an official common seal and alter the same
 9 at pleasure;

10 (c) To maintain an office at such place or places within the State
 11 as it may designate;

12 (d) To sue and be sued;

13 (e) To acquire, construct, maintain, improve, repair and operate
 14 projects;

15 (f) To construct, maintain, improve, repair and operate feeder
16 roads;

17 (g) To issue bonds or notes of the authority and to provide for
18 the rights of the holders thereof as provided in this act;

19 (h) *In the exercise of any of its powers to fix and revise from*
20 *time to time and charge and collect tolls or other charges for*
21 *transit over or use of any project acquired or constructed by it;*

22 (i) To establish rules and regulations for the use of any project;

23 (j) To acquire, lease as lessee, hold and dispose of real and
24 personal property or any interest therein, in the exercise of its
25 powers and the performance of its duties under this act;

26 (k) To acquire in the name of the authority by purchase or other-
27 wise, on such terms and conditions and in such manner as it may
28 deem proper, or by the exercise of the power of eminent domain,
29 any land and other property which it may determine is reasonably
30 necessary for any project or for the relocation or reconstruction
31 of any public highway by the authority under the provisions of
32 this act or for the construction of any feeder road which the au-
33 thority is or may be authorized to construct and any and all rights,
34 title and interest in such land and other property, including public
35 lands, parks, playgrounds, reservations, highways or parkways
36 owned by or in which any county, municipality or other govern-
37 mental subdivision of the State has any right, title or interest, or
38 parts thereof or rights therein, and any fee simple absolute or any
39 lesser interest in private property, and any fee simple absolute in,
40 easements upon, or the benefit of restrictions upon abutting prop-
41 erty to preserve and protect projects;

42 (l) To locate and designate, and to establish, limit and control
43 such points of ingress to and egress from each project as may be
44 necessary or desirable in the judgment of the authority to insure
45 the proper operation and maintenance of such project, and to pro-
46 hibit entrance to such project from any point or points not so
47 designated;

48 (m) Subject to the limitations of this act, to acquire, construct,
49 maintain, improve, repair or operate any public highway connect-
50 ing with any one or more projects which in the opinion of the
51 authority will increase the use of a project or projects, to take over
52 for maintenance, improvement, repair or operation any existing
53 public highway as a feeder road and to realign any such existing
54 public highway and build additional sections of road over new
55 alignment in connection with such existing public highway;

56 (n) To receive and accept from any federal agency, subject to
57 the approval of the Governor, grants for or in aid of the acquisition

58 or construction of any project, and to receive and accept aid or
 59 contributions from any other source, of either money, property,
 60 labor or other things of value, to be held, used and applied only
 61 for the purposes for which such grants and contributions may be
 62 made;

63 (o) Subject to the limitations of this act, to determine the loca-
 64 tion, type and character of any project and all other matters in
 65 connection with such project; [and]

66 (p) *Subject to the rights and security interests of the holders*
 67 *from time to time of bonds or notes heretofore or hereafter issued*
 68 *by the New Jersey Expressway Authority, to enter into contracts*
 69 *with the State or the Department of Transportation or the New*
 70 *Jersey Transportation Trust Fund Authority established by sec-*
 71 *tion 4 of the New Jersey Transportation Trust Fund Authority Act*
 72 *of 1984, P. L. 19... , c. ... (C.), providing for the pay-*
 73 *ment from the revenues of the New Jersey Expressway Authority*
 74 *to the State or to the New Jersey Transportation Trust Fund*
 75 *Authority, of the amount or amounts of revenues that may be set*
 76 *forth in or determined in accordance with the contracts, provided,*
 77 *that the payments shall be used solely for financing highway and*
 78 *transportation projects in the counties of Ocean, Burlington,*
 79 *Camden, Gloucester, Atlantic, Salem, Cumberland and Cape May,*
 80 *including the payment of principal and interest on any bonds, notes*
 81 *or other obligations issued or entered into by the New Jersey*
 82 *Transportation Trust Fund Authority, the proceeds of which shall*
 83 *be allocated by the New Jersey Transportation Trust Fund Au-*
 84 *thority to highway and transportation projects within the counties*
 85 *aforsaid; any contracts authorized pursuant to this section may*
 86 *include conditions and covenants necessary and desirable to facili-*
 87 *tate the issuance and sale of bonds, notes and other obligations of*
 88 *the New Jersey Transportation Trust Fund Authority. Any agree-*
 89 *ments entered into between the Department of Transportation and*
 90 *the Expressway Authority pursuant to this subsection shall termi-*
 91 *nate upon the effective date of any agreement entered into between*
 92 *the Expressway Authority and the New Jersey Transportation*
 93 *Trust Fund Authority providing for payment of revenues of the*
 94 *Expressway Authority directly from the Expressway Authority*
 95 *to the New Jersey Transportation Trust Fund Authority.*

96 **[(p)]** (q) To enter into any and all agreements or contracts,
 97 execute any and all instruments, and do and perform any and all
 98 acts or things necessary, convenient or desirable for the purposes
 99 of the authority or to carry out any power expressly given in this
 100 act.

1 30. Section 1 of P. L. 1966, c. 8 (C. 27:23-5.8) is amended to
2 read as follows:

3 1. The New Jersey Turnpike Authority shall have, in addition
4 to the powers heretofore granted to it[,] power [to]:

5 a. To pay or make any advance or contribution to the United
6 States Government or the State of New Jersey or any agency
7 thereof for the purpose of paying the State's share or any portion
8 thereof under the federal aid highway laws of the cost of construc-
9 tion of any highway improvement determined by the authority to
10 be a major improvement necessary to restore or prevent physical
11 damage to the turnpike project, for the safe or efficient operation
12 of such project, or to prevent loss of revenues therefrom.

13 b. *Subject to the rights and security interests of the holders from*
14 *time to time of bonds or notes heretofore or hereafter issued by the*
15 *New Jersey Turnpike Authority, to enter into contracts with the*
16 *State or the New Jersey Transportation Trust Fund Authority*
17 *established by section 4 of the New Jersey Transportation Trust*
18 *Fund Authority Act of 1984, P. L. 19 . . . , c. . . . (C.),*
19 *providing for the payment from the revenues of the New Jersey*
20 *Turnpike Authority to the State or to the New Jersey Transpor-*
21 *tation Trust Fund Authority of the amount or amounts of revenues*
22 *that may be set forth in or determined in accordance with the*
23 *contracts. Any contracts authorized pursuant to this section may*
24 *include conditions and covenants necessary and desirable to facili-*
25 *tate the issuance and sale of bonds, notes and other obligations of*
26 *the New Jersey Transportation Trust Fund Authority. Any agree-*
27 *ments entered into between the State and the Turnpike Authority*
28 *pursuant to this subsection shall terminate upon the effective date*
29 *of any agreement entered into between the Turnpike Authority and*
30 *the New Jersey Transportation Trust Fund Authority providing*
31 *for the payment of revenues of the Turnpike Authority directly*
32 *from the Turnpike Authority to the New Jersey Transportation*
33 *Trust Fund Authority.*

1 31. Section 9 of P. L. 1948, c. 454 (C. 27:23-9) is amended to
2 read as follows:

3 9. Revenues.

4 (A) The authority is hereby authorized to fix, revise, charge and
5 collect tolls for the use of each turnpike project and the different
6 parts or sections thereof, and to contract with any person, partner-
7 ship, association or corporation desiring the use of any part thereof,
8 including the right-of-way adjoining the paved portion, for placing
9 thereon telephone, telegraph, electric light or power lines, gas
10 stations, garages, stores, hotels, and restaurants, or for any other

11 purpose except for tracks for railroad or railway use, and to fix
12 the terms, conditions, rents and rates of charges for such use;
13 provided, that a sufficient number of gas stations may be authorized
14 to be established in each service area along any such highway to
15 permit reasonable competition by private business in the public
16 interest; and provided further, that no contract shall be required,
17 and no rent, fee or other charge of any kind shall be imposed for
18 the use and occupation of any turnpike project for the installation,
19 construction, use, operation, maintenance, repair, renewal, reloca-
20 tion or removal of tracks, pipes, mains, conduits, cables, wires,
21 towers, poles or other equipment or appliances in, on, along, over
22 or under any such turnpike project by any public utility as defined
23 in [section] R. S. 27:7-1 [of the Revised Statutes] which is subject
24 to taxation pursuant to either chapter 4 of the laws of 1940, as
25 amended (R. S. § 54:31-15.14 et seq.), or chapter 5 of the laws of
26 1940, as amended (R. S. § 54:31-45 et seq.), or pursuant to any other
27 law imposing a tax for the privilege of using the public streets,
28 highways, roads or other public places in this State. Such tolls
29 shall be so fixed and adjusted as to carry out and perform the terms
30 and provisions of any contract with or for the benefit of bond-
31 holders. Such tolls shall not be subject to supervision or regulation
32 by any other commission, board, bureau or agency of the State. The
33 use and disposition of tolls and revenues shall be subject to the
34 provisions of the resolution authorizing the issuance of such bonds
35 or of the trust agreement securing the same.

36 (B) At any time that tolls are not required for the purpose of
37 carry-out and performing the terms and provisions of any contract
38 with or for the benefit of bondholders, the authority shall cause
39 tolls for the use of the turnpike projects to be charged and collected
40 at the same rates as were last charged and collected by the au-
41 thority under the provisions of subsection (A) hereof and no change
42 or revision shall be made in such rates except as shall be specifically
43 authorized by law.

44 (C) All revenues and other funds of the authority not pledged
45 or otherwise required to pay or secure the payment of principal
46 and interest of any indebtedness of the authority existing from
47 time to time under, and not otherwise required for the purpose of,
48 this act shall be deposited to the credit of the State in such deposi-
49 tories and shall be reported to the State Treasurer and to the
50 Director of the Division of Budget and Accounting at such times
51 and in such manner as shall be designated and prescribed by the
52 State Treasurer and said director. *The requirement of this para-*
53 *graph shall be deemed to be satisfied during any period the New*

54 *Jersey Turnpike Authority shall have a contract providing for pay-*
 55 *ment of funds to the State or New Jersey Transportation Trust*
 56 *Fund Authority created pursuant to P. L., c. . . . (C.),*
 57 *and no payment in addition to that required by the contract or any*
 58 *amendment thereto shall be payable pursuant to this paragraph.*

1 32. R. S. 39:3-20 is amended to read as follows:

2 39:3-20. For the purpose of this act gross weight means the
 3 weight of the vehicle or combination of vehicles, including load or
 4 contents.

5 a. The director is authorized to issue registrations for commer-
 6 cial motor vehicles other than omnibuses or motor-drawn vehicles,
 7 upon application therefor and payment of a fee based on the gross
 8 weight of the vehicle including the gross weight of all vehicles in
 9 any combination of vehicles of which the commercial motor vehicle
 10 is the drawing vehicle. The gross weight of a disabled commercial
 11 vehicle or combination of disabled commercial vehicles being re-
 12 moved from a highway shall not be included in the calculation of
 13 the registration fee for the drawing vehicle.

14 Except as otherwise provided in this subsection, every registra-
 15 tion for a commercial motor vehicle other than an omnibus or motor-
 16 drawn vehicle shall expire and the certificate thereof shall become
 17 void on the last day of the eleventh calendar month following the
 18 month in which the certificate was issued. The minimum registra-
 19 tion fee for registration issued after July 1, 1984 shall be [\$50.00
 20 plus \$8.50 for each 1,000 pounds or portion thereof in excess of
 21 5,000 pounds.] as follows:

22 *For vehicles not in excess of 5,000 pounds, \$53.50.*

23 *For vehicles in excess of 5,000 pounds and not in excess of 18,000*
 24 *pounds, \$53.50 plus \$8.50 for each 1,000 pounds or portion thereof*
 25 *in excess of 5,000 pounds.*

26 *For vehicles in excess of 18,000 pounds and not in excess of 50,000*
 27 *pounds, \$53.50 plus \$9.50 for each 1,000 pounds or portion thereof*
 28 *in excess of 5,000 pounds.*

29 *For vehicles in excess of 50,000 pounds, \$53.50 plus \$10.50 for each*
 30 *1,000 pounds or portion thereof in excess of 5,000 pounds.*

31 Commercial motor vehicles other than omnibuses or motor-drawn
 32 vehicles for which commercial motor vehicle registrations had been
 33 issued prior to the effective date of this act and which expire March
 34 31, 1982 shall be issued commercial registrations which, in the
 35 director's discretion, shall expire on a date to be fixed by him, which
 36 date shall not be sooner than four months nor later than 16 months
 37 following the date of issuance of the registration. The fees for such
 38 registrations shall be fixed by the director in amounts proportion-

39 ately less or greater than the fees established by this subsection.
40 b. The director is also authorized to issue registrations for com-
41 mercial motor vehicles having three or more axles and a gross
42 weight over 40,000 pounds but not exceeding 70,000 pounds, upon
43 application therefor and proof to the satisfaction of the director
44 that the applicant is actually engaged in construction work or in
45 the business of supplying material, transporting material, or using
46 such registered vehicle for construction work.

47 Except as otherwise provided in this subsection, every registra-
48 tion for these commercial motor vehicles shall expire and the cer-
49 tificate thereof shall become void on the last day of the eleventh
50 calendar month following the month in which the certificate was
51 issued.

52 The registration fee *for registrations issued after July 1, 1984*
53 shall be *\$19.50 for each 1,000 pounds or portion thereof* [~~\$16.00 for~~
54 ~~each 1,000 pounds or portion thereof of~~].

55 *For purposes of calculating this fee, weight means the gross*
56 *weight including the gross weight of all vehicles in any combination*
57 *of which such commercial motor vehicle is the drawing vehicle.*
58 "Constructor" registrations issued prior to the effective date of
59 this act which expire June 30, 1982 shall be issued contractor ve-
60 hicle registrations which, in the director's discretion, shall expire
61 on a date to be fixed by him, which date shall not be sooner than
62 four months nor later than 16 months following the date of issu-
63 ance of the registration. The fees for the registration shall be fixed
64 by the director in amounts proportionately less or greater than the
65 fees established by this subsection.

66 Such commercial motor vehicle shall be operated in compliance
67 with the speed limitations of Title 39 of the Revised Statutes and
68 shall not be operated at a speed greater than 30 miles per hour
69 when one or more of its axles has a load which exceeds the limita-
70 tions prescribed in R. S. 39:3-84.

71 c. The director is also authorized to issue registrations for each
72 of the following solid waste vehicles: two-axle vehicles having a
73 gross weight not exceeding 42,000 pounds; tandem three-axle and
74 four-axle vehicles having a gross weight not exceeding 60,000
75 pounds; four-axle tractor-trailer combination vehicles having a
76 gross weight not exceeding 60,000 pounds. Registration is based
77 upon application to the director and proof to his satisfaction that
78 the applicant is actually engaged in the performance of solid waste
79 disposal or collection functions and holds a certificate of conveni-
80 ence and necessity therefor issued by the Board of Public Utilities.
81 Except as otherwise provided in this subsection, every registra-

82 tion for a solid waste vehicle shall expire and the certificate thereof
83 shall become void on the last day of the eleventh calendar month
84 following the month in which the certificate was issued.

85 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
86 pounds or portion thereof in excess of 5,000 pounds.

87 Solid waste vehicles for which commercial motor vehicle regis-
88 trations had been issued prior to the effective date of this act and
89 which shall expire June 30, 1982 shall be issued solid waste regis-
90 trations which, in the director's discretion, shall expire on a date
91 to be fixed by him, which date shall not be sooner than four months
92 or later than 16 months following the date of issuance of the regis-
93 tration. The fees for the registration shall be fixed by the director
94 in amounts proportionately less or greater than the fees estab-
95 lished by this subsection.

96 d. The director is also authorized to issue registrations for com-
97 mercial motor-drawn vehicles upon application therefor. The regis-
98 tration year for commercial motor-drawn vehicles shall be April 1
99 to the following March 31 and the fee therefor shall be \$18.00 for
100 each such vehicle.

101 At the discretion of the director, an applicant for registration
102 for a commercial motor-drawn vehicle may be provided the option
103 of registering such vehicle for a period of four years. In the event
104 that the applicant for registration exercises the four-year option,
105 a fee of \$64.00 for each such vehicle shall be paid to the director
106 in advance.

107 If any commercial motor-drawn vehicle registered for a four-
108 year period is sold or withdrawn from use on the highways, the
109 director may, upon surrender of the vehicle registration and plate,
110 refund \$16.00 for each full year of unused prepaid registration.

111 e. It shall be unlawful for any vehicle or combination of vehicles
112 registered under this act having a gross weight, including load or
113 contents, in excess of the gross weight provided on the registration
114 certificate to be operated on the highways of this State.

115 The owner, leasee, bailee or any one of the aforesaid of a vehicle
116 or combination of vehicles, including load or contents, found or
117 operated on any public road, street or highway or on any public
118 or quasi-public property in this State with a gross weight of that
119 vehicle or combination of vehicles, including load or contents, in
120 excess of the weight limitation permitted by the certificate of regis-
121 tration for the vehicle or combination of vehicles, pursuant to the
122 provisions of this section shall be assessed a penalty of **[\$50.00]**
123 *\$500.00* plus an amount equal to **[\$8.50]** *\$100.00* for each 1,000
124 pounds or fractional portion of 1,000 pounds of weight in excess of

125 the weight limitation permitted by the certificate of registration for
126 that vehicle or combination of vehicles. A vehicle or combination
127 of vehicles for which there is no valid certificate of registration is
128 deemed to have been registered for zero pounds for the purposes
129 of the enforcement of this act in addition to any other violation of
130 this Title, but is not deemed to be lawfully or validly registered
131 pursuant to the provisions of this Title.

132 [Moneys realized from the increase of the fees for registrations
133 issued pursuant to the provisions of this act shall be paid into the
134 State Treasury and credited to the General State Fund and avail-
135 able for general State purposes.]

136 This section shall not be construed to supersede or repeal the
137 provisions of section 39:3-84, 39:4-75, or 39:4-76 of this Title.

1 33. R. S. 39:3-25 is amended to read as follows:

2 39:3-25. In addition to the motor vehicle licenses authorized to
3 be issued pursuant to the provisions of this chapter, the director
4 shall issue, upon application therefor, a license plate for trucks
5 marked "farmer," which shall be issued upon evidence satisfactory
6 to the director that the applicant is a farmer and is actually en-
7 gaged in the growing, raising and producing of farm products as
8 an occupation. License plates issued under authority of this sec-
9 tion shall be placed upon motor trucks engaged exclusively in the
10 carrying or transportation of applicant's farm products, raised or
11 produced on his farm, and farm supplies, and not engaged in haul-
12 ing for hire.

13 Applicants for license plates herein authorized shall pay [there-
14 fore at a rate equal to $\frac{1}{2}$ the present] a registration fee of \$25.00
15 plus \$4.25 for each 1,000 pounds or portion thereof in excess of
16 5,000 pounds [provided for trucks by this chapter].

17 Except as otherwise provided in this section, every registration
18 for a farm truck shall expire and the certificate thereof shall be-
19 come void on the last day of the eleventh calendar month following
20 the month in which the certificate was issued.

21 Farm trucks for which farm truck registrations had been issued
22 prior to the effective date of this act and which expire June 30,
23 1982 shall be issued registrations which, in the director's discretion,
24 shall expire on a date to be fixed by him, which date shall not be
25 sooner than four months nor later than 16 months following the
26 date of issuance of the registration. The fees for such registrations
27 shall be fixed by the director in amounts proportionately less or
28 greater than the fees established by this section.

29 The term "farmer" as used in this section means any person en-
30 gaged in the commercial raising, growing and producing of farm

31 products on a farm not less than **[3]** *five* acres in area, and who
32 does not engage in the business of buying farm products for resale;
33 and the term "farm products" means any crop, livestock or fur
34 products.

1 34. Section 10 of P. L. 1963, c. 44 (C. 54:39A-10) is amended
2 to read as follows:

3 10. The director shall issue to every user a motor fuels user
4 identification card which shall be safely preserved in the user's
5 offices for as long as the card is valid. The user shall place a photo-
6 graphic or xerographic copy of said card in the cab of each motor
7 vehicle in his fleet. The director shall also issue for each vehicle
8 in the user's fleet a motor fuels user identification marker which
9 the user shall affix to the vehicle in such manner as shall be pre-
10 scribed by the director. The fee for each original such marker
11 and any replacement marker shall be **[\$6.00]** *\$25.00*. Every identi-
12 fication card and marker shall remain the property of the State and
13 may be recalled for any violation of this act or of the regulations
14 promulgated hereunder, or for failure to pay any moneys due
15 the State under this act or any other law administered by the
16 director. Identification cards and markers shall be issued on an
17 annual basis as of April 1, of the year and shall be valid through the
18 next succeeding March 31. The form and content of the card and
19 marker shall be as prescribed by the director. Any card and
20 marker issued pursuant to this act may be deemed by the di-
21 rector as satisfying the equivalent requirements of any other law
22 administered by him and any marker and card issued by him pur-
23 suant to any other law, regulation, reciprocity agreement or
24 arrangement, or declaration may be deemed as satisfying the
25 equivalent requirements of this act. It shall be illegal to operate
26 or cause to be operated in this State any motor vehicle unless the
27 vehicle bears the identification marker and carries the copy of the
28 identification card required by this section; provided, however,
29 that upon the request of a user the director may issue by mail or
30 telecommunication a permit valid for the operation of a vehicle
31 for a period not exceeding 25 days pending the application for and
32 issuance of an identification card or marker or both. The fee for
33 such permit shall be \$8.00 which may be credited against the
34 identification marker fee applicable to the same vehicle. A user
35 whose vehicles in the aggregate make not more than six trips
36 into or through this State in a 12-month period may be issued
37 single trip permits valid for 96 hours for each round trip so made.
38 The fee for such trip permit shall be \$5.00 which shall be in lieu
39 of reports, fees and taxes which may otherwise be applicable to
40 said trip under this act.

1 35. R. S. 54:39-27 is amended to read as follows:

2 54:39-27. Every distributor and gasoline jobber shall, on or be-
3 fore the twenty-second day of each month, render a report to the
4 Director of the Division of Taxation, stating the number of gallons
5 of fuel sold or used in this State by him during the preceding
6 calendar month. A tax of \$0.08 per gallon on each gallon so re-
7 ported, except diesel fuel, and a tax of ~~[\$0.08]~~ \$0.11 per gallon on
8 each gallon of diesel fuel so reported, used, offered for sale, or sold
9 for use to propel motor vehicles with diesel type engines on the
10 public highways shall be paid by each distributor and gasoline
11 jobber, such payment to accompany the filing of the report. Such
12 report shall contain such further information as the director may
13 require. Under such regulations as the director may prescribe, sales
14 of fuel and diesel fuel may be made by one licensed distributor or
15 gasoline jobber to another licensed distributor or gasoline jobber
16 free of such tax. If any distributor or gasoline jobber shall fail,
17 neglect or refuse to file the report within the time prescribed by
18 this section, the director shall note such failure, neglect or refusal
19 upon his records, and shall estimate the sales, distribution and use
20 of said distributor or gasoline jobber, assessing the tax thereon,
21 adding to said tax a penalty of 20% thereof for failure, neglect or
22 refusal to report, and such estimate shall be prima facie evidence
23 of the true amount of tax due to the director from such distributor
24 or gasoline jobber; provided, that if a good and sufficient cause or
25 reason is shown for such delinquency, the director may remit or
26 waive the payment of the whole or any part of the penalty as
27 provided in the State Tax Uniform Procedure Law, subtitle 9 of
28 Title 54 of the Revised Statutes. Reports required by this section,
29 exclusive of schedules, itemized statements and other supporting
30 evidence annexed thereto, shall at all reasonable times be open to
31 the public, anything contained in section 54:50-8 to the contrary
32 notwithstanding.

1 36. R. S. 54:39-66 is amended to read as follows:

2 54:39-66. Any person:

3 (1) Who shall use any fuels as herein defined for any of the
4 following purposes:

5 (a) (Deleted by amendment.)

6 (b) Buses while being operated over the highways of this
7 State in those municipalities to which the operator has paid a
8 monthly franchise tax for the use of the streets therein under the
9 provisions of R. S. 48:16-25 and buses while being operated
10 over the highways of this State to provide regular route passenger
11 service under operating authority conferred pursuant to R. S.
12 48:4-3,

- 13 (c) Agricultural tractors not operated on a public highway,
14 (d) Farm machinery,
15 (e) Aircraft,
16 (f) Ambulances,
17 (g) Rural free delivery carriers in the dispatch of their official
18 business,
19 (h) Such vehicles as run only on rails or tracks, and such
20 vehicles as run in substitution thereof,
21 (i) Such highway motor vehicles as are operated exclusively on
22 private property,
23 (j) Motor boats or motor vessels used exclusively for or in the
24 propagation, planting, preservation and gathering of oysters and
25 clams in the tidal waters of this State,
26 (k) Motor boats or motor vessels used exclusively for commercial
27 fishing,
28 (l) Motor boats or motor vessels while being used for hire for
29 fishing parties or being used for sightseeing or excursion parties,
30 (m) Cleaning,
31 (n) Fire engines and fire-fighting apparatus,
32 (o) Stationary machinery and vehicles or implements not de-
33 signed for the use of transporting persons or property on the public
34 highway,
35 (p) Heating and lighting devices,
36 (q) Fuels previously taxed under this chapter and later exported
37 or sold for exportation from the State of New Jersey to any other
38 state or country provided, proof satisfactory to the *director* of such
39 exportations is submitted,
40 (r) Motor boats or motor vessels used exclusively for Sea Scout
41 training by a duly chartered unit of the Boy Scouts of America,
42 (s) Emergency vehicles used exclusively by volunteer first-aid
43 or rescue squads, and
44 (t) *Diesel fuel, the increase in the tax thereof as imposed by*
45 *P. L. 1984, c. . . . (now pending before the Legislature as Assembly*
46 *Substitute for Senate Bill No. 2047 of 1984), as used by passenger*
47 *automobiles and motor vehicles of less than 5,000 pounds gross*
48 *weight.*
49 (2) Who shall have paid the tax for such fuels hereby required
50 to be paid, shall be reimbursed and repaid the amount of tax so
51 paid upon presenting to the *director* an application for such re-
52 imbursement or repayment, in form prescribed by the *director*,
53 which application shall be verified by a declaration of the applicant
54 that the statements contained therein are true. Such application
55 for reimbursement or repayment shall be supported by an invoice,

56 or invoices, showing the name and address of the person from
57 whom purchased, the name of the purchaser, the date of purchase,
58 the number of gallons purchased, the price paid per gallon, and an
59 acknowledgment by the seller that payment of the cost of the fuel,
60 including the tax thereon, has been made. Such invoice, or invoices,
61 shall be legibly written and shall be void if any corrections or
62 erasures shall appear on the face thereof.

63 The *director* may, in his discretion, permit a distributor entitled
64 to a refund under the provisions of this section to take credit
65 therefor, in lieu of such refund, in such manner as the *director* may
66 require, on a report filed pursuant to R. S. 54:39-27.

67 *Any refund granted to a person under subsection (1) (e), for fuel*
68 *used in aircraft, shall be paid from the moneys deposited in the*
69 *Airport Safety Fund established by section 4 of the "New Jersey*
70 *Airport Safety Act of 1983," P. L. 1983, c. 264 (C. 6:1-92). Such*
71 *refunds shall be granted on an annual basis.*

1 37. (New section) Nothing in the act shall be deemed or con-
2 strued so as to limit, alter or impair in any way the rights and
3 obligations of the toll road authorities or other State agencies
4 under the provisions of the contracts made with the holders from
5 time to time of bonds and notes heretofore or hereafter issued by
6 said toll road authorities or other State agencies or in any way
7 impair the rights and security of the holders under the contracts.

1 38. (New section) If any clause, sentence, paragraph, section
2 or part of the act shall be adjudged by any court of competent
3 jurisdiction to be invalid, the judgment shall not affect, impair or
4 invalidate the remainder thereof, but shall be confined in its op-
5 eration to the clause, sentence, paragraph, section or part thereof
6 directly involved in the controversy in which the judgment shall
7 have been rendered.

1 39. (New section) This act shall be interpreted liberally to effect
2 the purposes set forth herein.

1 40. (New section) This act shall be deemed to provide an addi-
2 tional, alternative and complete method for the doing of the things
3 authorized hereby and shall be deemed and construed to be supple-
4 mental and additional to any powers conferred by other laws on
5 public agencies and not in derogation of any such powers now
6 existing, provided that, insofar as the provisions of this act are
7 inconsistent with the provisions of any other law, general, special
8 or local, now in existence or hereafter (unless with specific refer-
9 ence to this act) adopted, the provisions of this act shall be con-
10 trolling.

1 41. Section 5 of P. L. 1948, c. 454 (C. 27:23-5) is amended to
2 read as follows:

3 5. General grant of powers. The authority shall be a body cor-
4 porate and politic and shall have perpetual succession and shall
5 have the following powers:

6 (a) To adopt bylaws for the regulation of its affairs and the
7 conduct of its business;

8 (b) To adopt an official seal and alter the same at pleasure;

9 (c) To maintain an office at such place or places within the State
10 as it may designate;

11 (d) To sue and be sued in its own name;

12 (e) To construct, maintain, repair and operate turnpike projects
13 at such locations as shall be established by law;

14 (f) To issue turnpike revenue bonds of the authority, for any
15 of its corporate purposes, payable solely from the tolls, other rev-
16 enues and proceeds of such bonds, and to refund its bonds, all as
17 provided in this act;

18 (g) **[To]** *In the exercise of any of its powers to fix and revise*
19 *from time to time and charge and collect tolls for transit over each*
20 *turnpike project constructed by it;*

21 (h) To establish rules and regulations for the use of any project;

22 (i) To acquire, hold and dispose of real and personal property
23 in the exercise of its powers and the performance of its duties
24 under this act;

25 (j) To acquire in the name of the authority by purchase or other-
26 wise, on such terms and conditions and in such manner as it may
27 deem proper, or by the exercise of the power of eminent domain
28 any land and other property which it may determine is reasonably
29 necessary for any turnpike project or for the relocation or recon-
30 struction of any highway by the authority under the provisions of
31 this act or for the construction of any feeder road which the au-
32 thority is or may be authorized to construct and any and all rights,
33 title and interest in such land and other property, including public
34 lands, parks, playgrounds, reservations, highways or parkways,
35 owned by or in which any county, city, borough, town, township,
36 village, or other political subdivision of the State of New Jersey
37 has any right, title or interest, or parts thereof or rights therein
38 and any fee simple absolute or any lesser interest in private prop-
39 erty, and any fee simple absolute in, easements upon, or the benefit
40 of restrictions upon, abutting property to preserve and protect
41 turnpike projects.

42 Upon the exercise of the power of eminent domain, the compen-
43 sation to be paid thereunder shall be ascertained and paid in the

44 manner provided in chapter one of Title 20 of the Revised Statutes
45 in so far as the provisions thereof are applicable and not incon-
46 sistent with the provisions contained in this act. The authority
47 may join in separate subdivisions in one petition or complaint
48 the descriptions of any number of tracts or parcels of land or
49 property to be condemned and the names of any number of owners
50 and other parties who may have an interest therein and all such
51 land or property included in said petition or complaint may be
52 condemned in a single proceeding; provided, however, that separate
53 awards be made for each tract or parcel of land or property; and
54 provided further, that each of said tracts or parcels of land or
55 property lies wholly in or has a substantial part of its value lying
56 wholly within the same county.

57 Upon the filing of such petition or complaint or at any time
58 thereafter the authority may file with the clerk of the county in
59 which such property is located and also with the Clerk of the
60 Superior Court a declaration of taking, signed by the authority,
61 declaring that possession of one or more of the tracts or parcels of
62 land or property described in the petition or complaint is thereby
63 being taken by and for the use of the authority. The said declara-
64 tion of taking shall be sufficient if it sets forth (1) a description
65 of each tract or parcel of land or property to be so taken sufficient
66 for the identification thereof to which there may or may not be
67 attached a plan or map thereof; (2) a statement of the estate or
68 interest in the said land or property being taken; (3) a statement
69 of the sum of money estimated by the authority by resolution to
70 be just compensation for the taking of the estate or interest in each
71 tract or parcel of land or property described in said declaration;
72 and (4) that, in compliance with the provisions of this act, the
73 authority has established and is maintaining a trust fund as here-
74 inafter provided.

75 Upon the filing of the said declaration, the authority shall de-
76 posit with the Clerk of the Superior Court the amount of the
77 estimated compensation stated in said declaration. In addition to
78 the said deposits with the Clerk of the Superior Court the authority
79 at all times shall maintain a special trust fund on deposit with
80 a bank or trust company doing business in this State in an amount
81 at least equal to twice the aggregate amount deposited with the
82 Clerk of the Superior Court as estimated compensation for all
83 property described in declaration of taking with respect to which
84 the compensation has not been finally determined and paid to the
85 persons entitled thereto or into court. Said trust fund shall consist
86 of cash or securities readily convertible into cash constituting legal

87 investments for trust funds under the laws of this State. Said
88 trust fund shall be held solely to secure and may be applied to
89 the payment of just compensation for the land or other property
90 described in such declarations of taking. The authority shall be
91 entitled to withdraw from said trust fund from time to time so
92 much as may then be in excess of twice the aggregate of the amount
93 deposited with the Clerk of the Superior Court as estimated com-
94 pensation for all property described in declarations of taking with
95 respect to which the compensation has not been finally determined
96 and paid to the persons entitled thereto or into court.

97 Upon the filing of the said declaration as aforesaid and deposit-
98 ing with the Clerk of the Superior Court the amount of the esti-
99 mated compensation stated in said declaration, the authority,
100 without other process or proceedings, shall be entitled to the
101 exclusive possession and use of each tract of land or property
102 described in said declaration and may forthwith enter into and take
103 possession of said land or property, it being the intent of this
104 provision that the proceedings for compensation or any other pro-
105 ceedings relating to the taking of said land or interest therein or
106 other property shall not delay the taking of possession thereof
107 and the use thereof by the authority for the purpose or purposes
108 for which the authority is authorized by law to acquire or condemn
109 such land or other property or interest therein.

110 The authority shall cause notice of the filing of said declaration
111 and the making of said deposit to be served upon each party in
112 interest named in the petition residing in this State, either per-
113 sonally or by leaving a copy thereof at his residence, if known,
114 and upon each party in interest residing out of the State, by mailing
115 a copy thereof to him at his residence, if known. In the event that
116 the residence of any such party or the name of such party is
117 unknown, such notice shall be published at least once in a news-
118 paper published or circulating in the county or counties in which
119 the land is located. Such service, mailing or publication shall be
120 made within 10 days after filing such declaration. Upon the appli-
121 cation of any party in interest and after notice to other parties
122 in interest, including the authority, any judge of the Superior
123 Court assigned to sit for said county may order that the money
124 deposited with the Clerk of the Superior Court or any part thereof
125 be paid forthwith to the person or persons entitled thereto for or
126 on account of the just compensation to be awarded in said proceed-
127 ing; provided, that each such person shall have filed with the Clerk
128 of the Superior Court a consent in writing that, in the event the
129 award in the condemnation proceeding shall be less than the amount

130 deposited, the court, after notice as herein provided and hearing,
131 may determine his liability, if any, for the return of such difference
132 or any part thereof and enter judgment therefor. If the amount
133 of the award as finally determined shall exceed the amount so
134 deposited, the person or persons to whom the award is payable
135 shall be entitled to recover from the authority the difference be-
136 tween the amount of the deposit and the amount of the award,
137 with interest at the rate of six per centum (6%) per annum thereon
138 from the date of making the deposit. If the amount of the award
139 shall be less than the amount so deposited, the Clerk of the Superior
140 Court shall return the difference between the amount of the award
141 and the deposit to the authority unless the amount of the deposit
142 or any part thereof shall have theretofore been distributed, in
143 which event the court, on petition of the authority and notice to all
144 persons interested in the award and affording them an opportunity
145 to be heard, shall enter judgment in favor of the authority for
146 such difference against the party or parties liable for the return
147 thereof. The authority shall cause notice of the date fixed for such
148 hearing to be served upon each party thereto residing in this State
149 either personally or by leaving a copy thereof at his residence, if
150 known, and upon each party residing out of the State by mailing
151 a copy to him at his residence, if known. In the event that the
152 residence of any party or the name of such party is unknown,
153 such notice shall be published at least once in a newspaper pub-
154 lished or circulating in the county or counties in which the land is
155 located. Such service, mailing or publication shall be made at least
156 10 days before the date fixed for such hearing.

157 Whenever under chapter one of Title 20 of the Revised Statutes
158 the amount of the award may be paid into court, payment may be
159 made into the Superior Court and may be distributed according
160 to law. The authority shall not abandon any condemnation pro-
161 ceeding subsequent to the date upon which it has taken possession
162 of the land or property as herein provided;

163 (k) To designate the locations, and establish, limit and control
164 such points of ingress to and egress from each turnpike project
165 as may be necessary or desirable in the judgment of the authority
166 to insure the proper operation and maintenance of such project,
167 and to prohibit entrance to such project from any point or points
168 not so designated;

169 (l) To make and enter into all contracts and agreements neces-
170 sary or incidental to the performance of its duties and the execu-
171 tion of its powers under this act;

172 (m) To appoint such additional officers, who need not be members

173 of the authority, as the authority deems advisable, and to employ
174 consulting engineers, attorneys, accountants, construction and fi-
175 nancial experts, superintendents, managers, and such other em-
176 ployees and agents as may be necessary in its judgment; to fix their
177 compensation; and to promote and discharge such officers, em-
178 ployees and agents; all without regard to the provisions of Title 11
179 of the Revised Statutes;

180 (n) To receive and accept from any federal agency, subject to
181 the approval of the Governor, grants for or in aid of the construc-
182 tion of any turnpike project, and to receive and accept aid or
183 contributions, except appropriations by the Legislature, from any
184 source, of either money, property, labor or other things of value,
185 to be held, used and applied only for the purposes for which such
186 grants and contributions may be made; and

187 (o) To do all acts and things necessary or convenient to carry
188 out the powers expressly granted in this act.

1 42. This act shall take effect immediately, except that sections 35
2 and 36 amending R. S. 54:39-27 and R. S. 54:39-66 shall take effect
3 on September 1, 1985.

TRANSPORTATION

1

1984 was perhaps the most important year in New Jersey transportation history.

In the beginning of the year, I came before you and asked for your help in creating a stable source of funding for transportation infrastructure projects. New Jersey as a state is dependent on the quality of its transportation system for its continued economic health — for its ability to continue being a national leader in creating jobs in the '80s and '90s. Only with a reliable source of transportation funding, I argued, could we make firm plans to build a better state in the years ahead. Only by eliminating the funding uncertainties that have plagued our transportation program in the past could we be certain to consolidate our position as the nation's transportation capital — and as the region's job-producing leader.

“The Transportation Trust fund provides New Jersey with its first stable source of transportation funding in 40 years. It will help us create thousands of jobs.”

You responded by passing the Transportation Trust Fund Authority Act of 1984 — probably the single most important transportation landmark in our lifetimes.

The Transportation Trust fund provides New Jersey with its first stable source of transportation funding in 40 years.

It will help us create thousands of jobs.

It will eliminate the ebbs and flows of transportation capital that have not only frustrated transportation planners, but have caused the job market in our construction industry to fluctuate as well.

Passage of the Transportation Trust Fund was a model of cooperation: between the Legislature and the Executive Branch, between business, labor, citizens' groups and government; and between all of the various elements that make up the family of New Jersey.

The voters lent further endorsement to our efforts by passing the Constitutional amendment dedicating 2½ cents of the existing gas tax to transportation capital programs.

All of us banded together because we

realized that this was a sound investment in the future of our state — one which will help us compete in the national and international economy; one which will provide advantages to businesses operating in the state; one which will furnish better service and increased safety to everyone who uses our roads and public transit; and one which will yield many benefits in the years to come.

I thank you for your help in passing this program, and I commend the leadership of both Houses, and the bill's sponsors, Senators Rand and Gagliano and Assemblymen Bryant and Markert, for their hard work in delivering this critical piece of legislation to the people of the state.

We have wasted no time in putting your efforts to work. We have already begun work on several Transportation Trust Fund projects in the current fiscal year.

This past year we initiated the largest resurfacing program in this state's history. We awarded or advertised 30 contracts to resurface more than 133 miles of state highway at a cost of more than \$50 million. Much of that work which is taking place throughout our state is already completed. The rest will be complete this spring.

We made major progress on completing Route 55 — beginning construction on the third section of this freeway in Gloucester County. I expect to be able to open the first seven miles of this long-awaited highway this fall.

first Route 23 contract in Wayne and have started work on the next two sections of that highway.

We continued on our program to complete Interstate 78 through Union County — a vast project that should be finished by the summer of 1986.

We began work on the most extensive bridge rehabilitation and repair program in the state's history, made possible by passage by the voters of the bridge bond issue in 1983, and by the continued leadership of Senator Weiss.

In the year ahead, the Transportation Trust Fund will make possible one of the country's most aggressive attacks on the backlog of needed road and mass transit construction, improvements, and maintenance.

We will proceed with work on the missing link of Interstate 287 in Morris, Passaic, and Bergen counties, with needed widening on Route 17 in Bergen County, with improvements on Routes 169 and 185 in Hudson County, with Routes 18 and 33 in Monmouth County, Route 24 in Morris County, Interstates 295 and 195 in Mercer County, the Longport-Somers Point bridge in Atlantic County, Route 90 in Camden County, and a host of other projects around the state.

All of this has been laid out in a transportation plan for state released recently by our Department of Transportation to deal with both the short



We began the construction necessary to eliminate the dangerous Green Street Circle on Routes 1 and 9 in Woodbridge and have completed work on the Bayway circle in Elizabeth. We also completed work on the

term and long term transportation needs and goals.

Not only does this spell out a plan for providing the long overdue and essential highway needs of New Jersey, but it also

emphasizes the integration of our highway and public transit systems through park and ride expansion, ridesharing, and the creation of added parking at public transit terminals.

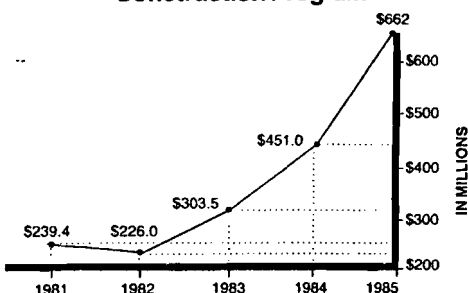
One result of our aggressive efforts in this past year was that we set another record in the amount of Federal funds obligated for New Jersey highway projects. We expect to match that record again this year.

As a result, the overall growth in our transportation construction program is unprecedented in the state's history.

For too long, New Jersey lost out on Federal transportation funds because it failed to put up the necessary state matching funds. That will no longer be the case.

In the fiscal year 1982, our Department of Transportation undertook a construction program worth \$220 million. That number grew to \$303 million in fiscal year 1983 and over \$430 million in fiscal year 1984.

**NJDOT
Construction Program**



During the current fiscal year, we expect the value of our construction program will leap to over \$800 million — a level that we can match for at least three years to come because of your foresight and cooperation in

passing the the Transportation Trust Fund. All of this has been done without increasing staff over 1982 levels.

In the long run, that growth translates into a better quality of life for all of us. And it translates into more jobs for New Jersey.

There is one possible fly in the ointment that could hamper this record of substantial achievement, and I call upon our Congressional representatives in Washington to help us remove it.

Last year, before Congress adjourned, it failed to pass legislation which would allow Interstate and Intrastate Dedesignation funds which are already authorized for the current Federal fiscal year to be allocated to the states.

This means that we have actually received only about half of the funds apportioned to us. Secretary Dole has tried to help alleviate this problem by allocating discretionary funds to New Jersey, but the problem can only be solved by Congressional action.

It is the height of irresponsibility of Congress to delay needed transportation programs in the states for no good reason. Congress should put aside its partisan differences and take action.

I sincerely hope that Congress will make passage of this legislation one of its first orders of business when it reconvenes this month. If not, it could slow the progress of our transportation juggernaut in New Jersey.

1984 was no less important — or accomplished — a year for New Jersey Transit. New Jersey Transit, which had once been called the "oldest and most deteriorated public transit system" in the



nation, was awarded the American Public Transit Association's Outstanding Achievement Award in October.

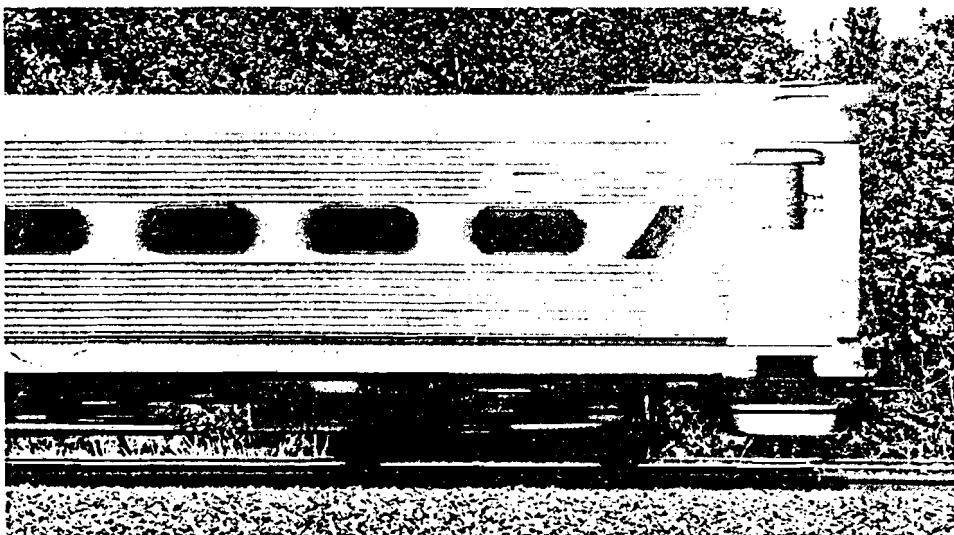
The award noted that New Jersey Transit has undertaken one of the most ambitious capital improvement programs in the nation — improving the quality of its buses, rolling train stock, roadbeds, and rail and bus stations.

As if by example, this year New Jersey Transit received its 700th New Jersey cruiser commuter bus from Motor Coach Industries (MCI), as part of the largest purchase of new buses in the state's history.

We followed that up by signing a contract for the purchase of 100 articulated buses in September. These buses, which bend in the middle and carry 40% more riders, will provide better service and lower operating costs on our heavily used urban and suburban routes.

For the first time in New Jersey Transit's five-year history, no fare increase was required during the current fiscal year. In my view, holding fares down is a key element in attracting new ridership that can support the system.

That is why it is vital that Congress continue to provide operating assistance for mass transit. Without it, our significant gains in mass transportation could well be reversed. Virtually every civilized country in the world invests in the building and running of its mass transportation systems. If anything, the United States' commitment to mass transit is too small — not too great. While the taxpayers have already made a substantial investment in mass transit in this country, that investment will be devalued, if not ultimately lost, if Congress suddenly turns its back on mass transit. Congress should resist the temptation to be penny wise but



pound foolish in cutting the deficit. It should — and must — continue to support mass transit operating subsidies in order to hold fares down and increase ridership.

If the Federal government does not abandon its commitment to helping mass transit by providing operating subsidies, I plan to continue this no fare increase policy into fiscal year 1986 as well.

For almost two decades, the riders of the Morris and Essex Rail Line have been promised re-electrified, upgraded service. This past year, we finally made good on that promise.

The re-electrification of the Morris and Essex Line, which was completed in September, has been called the most complex rail project in the world today, because the work was carried on while rail service was maintained. It has also been called New Jersey's greatest transit achievement in decades. I am proud that it is now, at long last, complete.

At the same time, we secured the federal grant for the planned electrification of the North Jersey Coast Line to Long

Branch. This will provide significant time savings for commuters from Monmouth County and surrounding areas. But again, our success in completing this project could depend on our ability to protect Federal funding for a major portion of the project.

Commissioner Sheridan and I personally lobbied very hard for this funding in the past year, and we plan to redouble our efforts in the year ahead. I solicit your help, and that of our entire Congressional delegation, in assuring the continuation of this vital project.

New Jersey Transit's station and maintenance facilities also enjoyed a year of improvement that bodes well for the future. The agency assumed operation control of Newark Penn Station and already has begun major improvements that will benefit the city of Newark and the thousands of commuters who daily use Penn Station.

Ground was broken for major new transportation centers in Camden and Asbury Park — both of which could serve as anchors for our efforts to redevelop downtown areas of these urban centers.

This coming year, we expect to open a new bus garage in Howell Township that

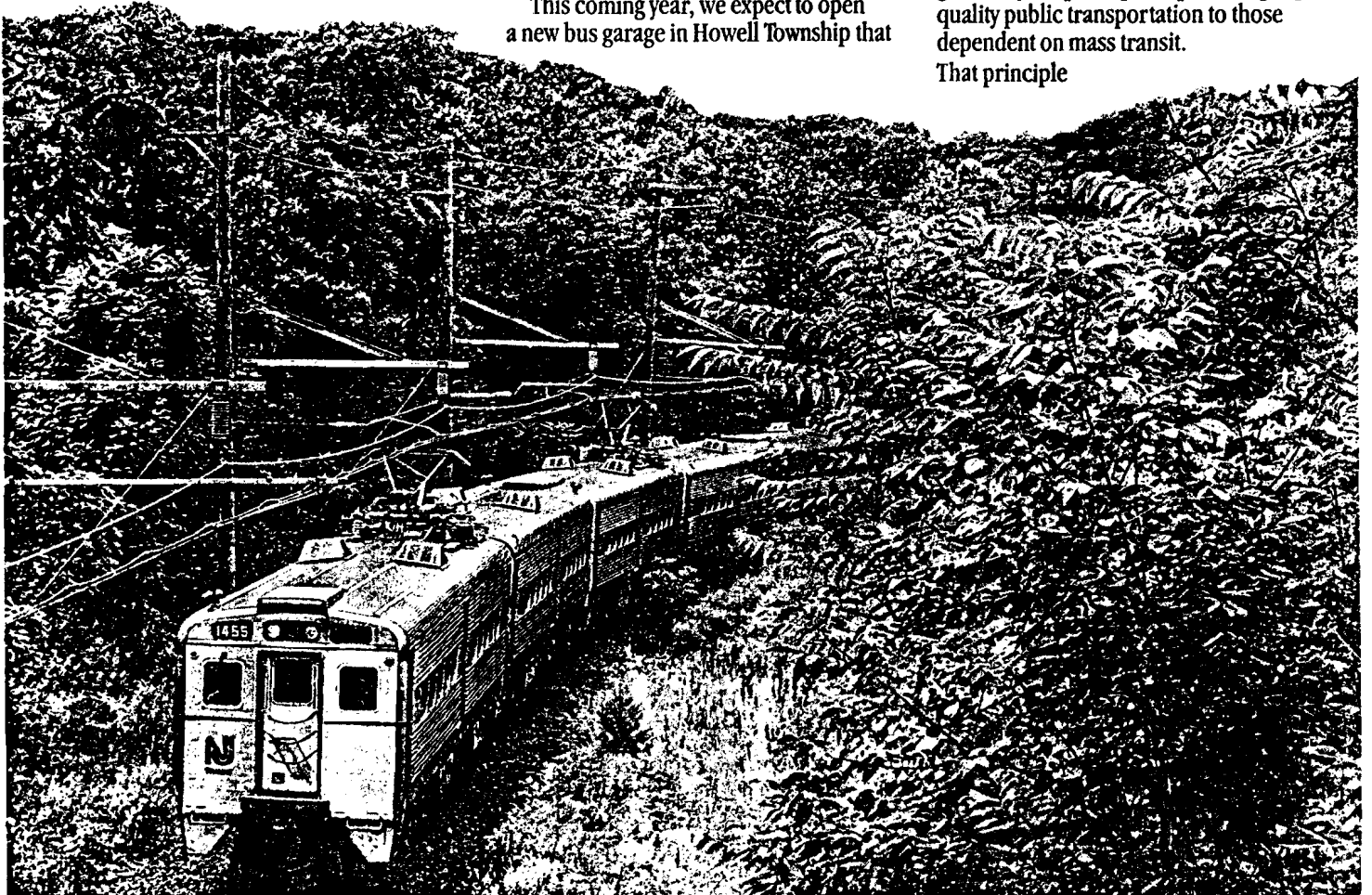
will save New Jersey Transit over \$1 million annually in operating costs, and by next year, we will have completed a state-of-the-art rail



repair facility in Kearny, that will give us a central maintenance shop for all of New Jersey Transit's commuter cars and locomotives.

New Jersey Transit will continue to be guided by the principle of providing high quality public transportation to those dependent on mass transit.

That principle



was advanced this past year by the legislation you passed to establish a senior citizen and disabled resident transportation program through casino revenue funds.

As New Jersey grows, the challenges of meeting the transportation needs of a dynamic state will grow with it.

In 1985, there are several steps that need to be taken — and which we plan to take — to plan for the future of a changing state.

One of the central areas of rapid economic development is along the Route 1 corridor from New Brunswick to Trenton.

In part because of our efforts in promoting academic-industrial cooperation and attracting new businesses, this is fast becoming New Jersey's "high tech" corridor. As that region develops, it will need a more advanced transportation system to accommodate its growth.

This past year, we continued work on the Route 1 Corridor Study of the short- and long-range transportation needs in the area. This year, we will complete it and move quickly to implementation of that study in order to keep pace with the expansion of research, industry, commerce, and population in the vicinity of Route 1.

We expect to begin construction of Route 1 later this year with a major new interchange at Quakerbridge Road. But we must continue to move ahead with the development of a comprehensive long-range plan for one of New Jersey's most rapidly expanding areas.

Another of New Jersey's great growth areas is in Monmouth and Ocean Counties. I have asked our Department of Transportation and New Jersey Transit to launch a special study of the public transportation needs in this region as well.

We can also follow up on the improved service that came with the re-electrification of the Morris and Essex train line by aggressively pursuing our Plan to give riders of that line direct access to midtown Manhattan. This past year, New Jersey Transit approved the start of engineering work on a connection in the Kearny meadows that would make this possible. I am committed to advancing this work as quickly as possible in the year ahead.

For years, residents of South Jersey have called for a new east-west route to accommodate the flow of traffic between the Delaware Memorial Bridge and the Atlantic City area.

This past year, our Department of



Transportation began a study to look into the feasibility of such a route, and of the feasibility of a southeast extension of Route 55. I am asking the Department to move ahead quickly with this study, which is of such great interest to much of the southern portion of our state. The Department and New Jersey Transit also are working in conjunction with the Atlantic County Improvement Authority and Atlantic City to make the Atlantic City Rail link a reality. This important project will help relieve traffic congestion and spur further development in the city.

In this regard, I would note Senator Gormley's effort to encourage construction of a new convention center in connection with the rail link appears to be bearing fruit. According to the Atlantic County Improvement Authority, construction of the convention center would add \$1 billion to the region's economy.

The Department is also continuing to work with the Port Authority to relieve the growing congestion at the Hudson River crossings and in the Hackensack meadowlands particularly along Route 3. One project which could help to relieve congestion in that area is the West Shore Rail Line. The lack of a good north-south road in eastern Bergen County may well make the

West Shore Line a cost-effective investment. I have asked New Jersey Transit to proceed with dispatch to complete its analysis of this project.

Finally, I have mentioned to you already the great promise which the development of the Hudson River waterfront holds for New Jersey's future. In my view, improved transportation infrastructure and service could be the key to fulfilling this promise. I am asking the Department of Transportation and New Jersey Transit to pay special attention to the needs of this pivotal area of development. And I ask you to cooperate as well in doing everything possible to complete the transformation of the waterfront from an area of great potential to a model of successful urban redevelopment.

These are just some of the key areas in New Jersey's transportation future — a future which took a great leap forward with your help during the past year.

This past year was truly a banner year for transportation in New Jersey.

The challenge is now to make good on the promise established in 1984. If we do, and I firmly believe we can, the benefits for our state will accrue for decades — and beyond.