

39:3-68.1

9/29/88

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3-68.1, 39:3-68.2 (Vehicles with air brakes-- require automatic emergency stopping system)

LAWS OF: 1987 **CHAPTER:** 402

BILL NO: S584

Sponsor(s): Bassano

Date Introduced: Pre-filed

Committee: **Assembly:** Transportation, Communications and High Technology
Senate: Law, Public Safety and Defense

Amended during passage: Yes Amendments denoted by asterisks.

Date of Passage: **Assembly:** January 12, 1987 Re-enacted 1-11-88
Senate: April 21, 1986 Re-enacted 11-12-87

Date of Approval: January 14, 1988

following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes
Senate Yes

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

P. L. 1987. CHAPTER 402, approved January 14, 1988

1986 Senate No. 584 (*Official Copy Reprint*)

AN ACT concerning automatic emergency stopping systems for vehicles using air brakes and supplementing article 3 of chapter 3 of Title 39 of the Revised Statutes.

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

1 1. As used in this act:

2 a. "Towing vehicle" means a road tractor or truck tractor.

3 b. "Towed vehicle" means a motor-drawn vehicle, pole trailer,
4 semitrailer or trailer.

1 2. Every vehicle or combination of vehicles using compressed air
2 at the wheels for applying the service brakes shall be equipped
3 with an emergency stopping system meeting the requirements of
4 this section and capable of stopping the vehicle or combination of
5 vehicles in the event of failure in the service brake air system as
6 follows:

7 a. Towing vehicles which use compressed air at the wheels for
8 applying the service brakes shall be equipped with a device with
9 an automatic means of actuating an emergency stopping system
10 on the towed vehicle. The device shall operate automatically in
11 the event of a reduction of the service air brake supply of the
12 towing vehicle to a fixed pressure which shall not be lower than
13 20 pounds per square inch nor higher than 45 pounds per square
14 inch.

15 b. Towed vehicles shall be deemed to be in compliance with this
16 section when:

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

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

*—Senate amendments adopted in accordance with Governor's recommendations August 8, 1987.

17 (1) The towed vehicle is equipped with a no-bleed-back relay-
18 emergency valve or equivalent device, so designed that the supply
19 reservoir used to provide air for the brakes is safeguarded against
20 backflow of air from the reservoir through the supply line; and

21 (2) The combination of vehicles is capable of stopping within
22 the distance and under the conditions specified in subsections g.
23 and h. of this section.

24 c. If the service brake system and the emergency stopping sys-
25 tem are connected in any way, they shall be so constructed that a
26 failure or malfunction in any one part of either system, including
27 brake chamber diaphragm failure but not including failure in the
28 drums, brakeshoes, or other mechanical parts of the wheel brake as-
29 sembles, shall not leave the vehicle without one operative stopping
30 system capable of complying with the performance requirements in
31 subsection g. of this section.

32 d. No vehicle or combination of vehicles upon failure of the
33 service brake air system shall be driven on a highway under its own
34 power except to the extent necessary to move the vehicles off the
35 roadway to the nearest place of safety.

36 e. No vehicle or combination of vehicles shall be equipped with
37 an emergency stopping system that creates a hazard on the high-
38 way, or increases the service brake stopping distance of a vehicle
39 or combination of vehicles, or interferes in any way with the ap-
40 plication of the service brakes on any vehicle or combination of
41 vehicles.

42 f. Any energy-storing device which is a part of the emergency
43 stopping system shall be designed so that it is recharged or reset
44 from the source of compressed air or other energy produced by the
45 vehicle, except that energy to release the emergency stopping sys-
46 tem may be produced by the driver's muscular effort from the
47 driver's seat. No device shall be used which can be set to prevent
48 automatic delivery of air to protected air supply reservoirs of
49 motor vehicle emergency stopping systems when air is available in
50 the service brake air supply system.

51 g. Every motor vehicle or combination of vehicles, at all times
52 and under all conditions of loading, upon application of the emer-
53 gency stopping system, shall be capable of **stopping** ***[**:

54 (1) Developing a stopping force that is not less than the per-
55 centage of its gross weight tabulated herein for its classification;

56 (2) Decelerating in a stop from 20 miles per hour at not less
57 than the feet per second per second tabulated herein for its classi-
58 fication; and

59 (3) Stopping]* from a speed of 20 miles per hour in not more
 60 than the distance tabulated herein for its classification, this distance
 61 to be measured from the point at which movement of the emergency
 62 stopping system control begins.

***[EMERGENCY STOPPING SYSTEM REQUIREMENTS**

	Classi- fication of vehicle and com- bination of vehicles	Stopping force as a percentage of gross vehicle or combina- tion weight	Decelera- tion in feet per second	Stopping distance in feet
63	A Single-motor			
64	vehicles	16.7	5.5	90
65	B Combination of			
66	vehicles	19.0	6.0	90]*

***EMERGENCY STOPPING SYSTEM REQUIREMENTS**

	<i>Classification of vehicle and combination of vehicles</i>	<i>Stopping Distance In Feet</i>
67	<i>A. Passenger-carrying vehicles.</i>	
68	<i>(1) Vehicles with a seating capacity</i>	
69	<i>of 10 persons or less, including</i>	
70	<i>driver, and built on a passenger</i>	
71	<i>car chassis</i>	<i>54</i>
72	<i>(2) Vehicles with a seating capacity</i>	
73	<i>of more than 10 persons, includ-</i>	
74	<i>ing driver, and built on a pas-</i>	
75	<i>senger car chassis; vehicles built</i>	
76	<i>on a truck or bus chassis and</i>	
77	<i>having a manufacturer's Gross</i>	
78	<i>Vehicle Weight Rating of 10,000</i>	
79	<i>pounds or less</i>	<i>66</i>
80	<i>(3) All other passenger-carrying vehicles</i>	<i>85</i>
81	<i>B. Property-carrying vehicles.</i>	
82	<i>(1) Single unit vehicles having a</i>	
83	<i>manufacturer's Gross Vehicle</i>	
84	<i>Weight Rating of 10,000 pounds</i>	
85	<i>or less</i>	<i>66</i>
86	<i>(2) Single unit vehicles having a</i>	
87	<i>manufacturer's Gross Vehicle</i>	
88	<i>Weight Rating of more than</i>	

89 10,000 pounds, except truck trac-
90 tors. Combinations of a 2-axle
91 towing vehicle and trailer hav-
92 ing a Gross Vehicle Weight
93 Rating of 3,000 pounds or less.
94 All combinations of 2 or less
95 vehicles in driveaway or towaway
96 operation 85
97 (3) All other property-carrying ve-
98 hicles and combination of prop-
99 erty-carrying vehicles 90*

100 h. Tests or deceleration and stopping distance shall be made on
101 substantially level dry, smooth, hard surface that is free from
102 loose material and where the grade does not exceed plus or minus
103 1%. No test of emergency stopping system performance
104 shall be made upon a highway at a speed in excess of 25 miles
105 per hour.

106 i. The provisions of this section shall not apply to:

107 (1) Auxiliary dollies, special mobile equipment, or special con-
108 struction equipment; *or*

109 *[(2) Motor vehicles which are operated in a driveaway-tow-
110 away operation and not registered in this State; or]*

111 *[(3)]* *(2)* Disabled vehicles when being towed.

112 j. Every owner or lessee shall instruct and require that the
113 driver be thoroughly familiar with the requirements of this section.

114 The driver of a vehicle or combination of vehicles required to
115 comply with the requirements of this section shall be able to
116 demonstrate the application and release of the emergency system
117 on the vehicle and each vehicle in combination.

1 3. This act shall take effect immediately and shall apply only
2 to vehicles manufactured on or after the January 1 next fol-
3 lowing enactment.

EMERGENCY STOPPING SYSTEM REQUIREMENTS

	Classi- fication of vehicle and com- bination of vehicles	Stopping force as a percentage of gross vehicle or combina- tion weight	Decelera- tion in feet per second	Stopping distance in feet
63	A Single-motor			
64	vehicles	16.7	5.5	90
65	B Combination of			
66	vehicles	19.0	6.0	90

67 h. Tests for deceleration and stopping distance shall be made on
68 a substantially level, dry, smooth, hard surface that is free from
69 loose material and where the grade does not exceed plus or minus
70 one percent. No test of emergency stopping system performance
71 shall be made upon a highway at a speed in excess of 25 miles
72 per hour.

73 i. The provisions of this section shall not apply to:

74 (1) Auxiliary dollies, special mobile equipment, or special con-
75 struction equipment;

76 (2) Motor vehicles which are operated in a driveaway-tow-away
77 operation and not registered in this State; or

78 (3) Disabled vehicles when being towed.

79 j. Every owner or lessee shall instruct and require that the
80 driver be thoroughly familiar with the requirements of this section.
81 The driver of a vehicle or combination of vehicles required to
82 comply with the requirements of this section shall be able to
83 demonstrate the application and release of the emergency system
84 on the vehicle and each vehicle in the combination.

1 3. This act shall take effect *on the 180th day after enact-
2 ment]* **immediately and shall apply only to vehicles manufactured*
3 *on or after the January 1 next following enactment*.*

STATEMENT

This bill requires that every new vehicle or combination of vehicles using air brakes have an automatic emergency stopping system to operate in the event of a failure in the primary brake air system. Towing vehicles which use these air brakes will be equipped with an automatic means of actuating the emergency stopping system on the towed vehicle. This device shall operate automatically in the situation where the air brakes on the towing vehicle suddenly fail due to a loss in air pressure.

The bill will take effect immediately but will apply only to vehicles manufactured on or after January 1 next following enactment.

11-2-84

LA 11111111111111111111
DO NOT REMOVE

**ASSEMBLY TRANSPORTATION, COMMUNICATIONS
AND HIGH TECHNOLOGY COMMITTEE**

STATEMENT TO

SENATE, No. 584

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1986.

The Assembly Transportation, Communications and High Technology Committee reports favorably Senate Bill No. 584.

This bill requires that every new vehicle or combination of vehicles using air brakes have an automatic emergency stopping system to operate in the event of a failure in the primary air brake system. Towing vehicles which use these air brakes will be equipped with an automatic means of actuating the emergency stopping system on the towed vehicle. This device shall operate automatically in the situation where the air brakes on the towing vehicle suddenly fail due to a loss in air pressure.

The bill will take effect immediately but will apply only to vehicles manufactured on or after the January 1 next following enactment.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

SENATE, No. 584

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 1986

The Senate Law, Public Safety and Defense Committee favorably reports Senate Bill No. 584.

This bill requires that every new vehicle or combination of vehicles using air brakes have an automatic emergency stopping system to operate in the event of a failure in the primary air brake system. Towing vehicles which use these air brakes will be equipped with an automatic means of actuating the emergency stopping system on the towed vehicle. This device shall operate automatically in the situation where the air brakes on the towing vehicle suddenly fail due to a loss in air pressure.

The bill will take effect immediately but will apply only to vehicles manufactured on or after the January 1 next following enactment.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

February 26, 1987

SENATE BILL NO. 584 (OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 584 (OCR) with my objections, for reconsideration.

This bill requires that every new vehicle or combination of vehicles using air brakes have an automatic emergency stopping system to operate in the event of a failure in the primary brake air system. The bill includes a chart setting forth emergency stopping system requirements. The chart and accompanying text was derived from federal regulations setting minimum standards for brake performance.

I commend the sponsor for his introduction of this legislation which addresses the need to establish requirements for the brake systems on the larger trucks on our highways. However, I am compelled to return this bill with my recommendations for reconsideration because inadvertently an error was made in the transplanting of the federal regulations into this legislation. The standards used in this bill are for primary as well as secondary brake systems while this legislation only deals with requirements for back-up brakes. The amendments I am proposing delete the erroneously placed standards for primary brake systems and instead contain the correct standards applicable to back-up brake systems found in 49 CFR 393.52.

Therefore, I herewith return Senate Bill No. 584 (OCR) and recommend that it be amended as follows:

- Page 2, Section 2, Line 53: After "of" delete ":"
- Page 2, Section 2, Line 54 to 58: Delete in entirety
- Page 2, Section 2, Line 59: Delete "(3)", delete "Stopping" and insert "stopping"
- Page 2, Section 2, after Line 62: Delete through line 66 on Page 3.

Insert:

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

"EMERGENCY STOPPING SYSTEM REQUIREMENTS

Classification of vehicle and combination of vehicles	Stopping Distance In Feet
A. Passenger-carrying vehicles.	
(1) Vehicles with a seating capacity of 10 persons or less, including driver, and built on a passenger car chassis.....	54
(2) Vehicles with a seating capacity of more than 10 persons, including driver, and built on a passenger car chassis; vehicles built on a truck or bus chassis and having a manufacturer's Gross Vehicle Weight Rating of 10,000 pounds or less.....	66
(3) All other passenger-carrying vehicles.....	85
B. Property-carrying vehicles.	
(1) Single unit vehicles having a manufacturer's Gross Vehicle Weight Rating of 10,000 pounds or less.....	66
(2) Single unit vehicles having a manufacturer's Gross Vehicle Weight Rating of more than 10,000 pounds, except truck tractors. Combinations of a 2-axle towing vehicle and trailer having a Gross Vehicle Weight Rating of 3,000 pounds or less. All combinations of 2 or less vehicles in driveaway or towaway operation.....	85
(3) All other property-carrying vehicles and combination of property-carrying vehicles.....	90"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

3

Page 3, Section 2, Line 75:

After "equipment;" insert "or"

Page 3, Section 2, Line 76:

Omit lines 76 and 77

Page 3, Section 2, Line 78:

Omit "3" and insert "2"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Michael R. Cole

Chief Counsel