

27:5G-1

4/23/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 27:5G-1 (Bridges and overpasses-- post height restrictions)

CHAPTER 104

Laws Of: 1986

Bill No: S396

Sponsor(s): Rand

Date Introduced: Pre-filed

Committee: Assembly: Appropriations

Senate: Transportation & Communications

Amended during passage: Yes Substituted for A1835 (not attached since identical to S396). Amendments denoted by asterisks.

Date of Passage: Assembly: June 9, 1986

Senate: April 7, 1986

Date of Approval: September 5, 1986

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

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SENATE, No. 396

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator RAND

AN ACT requiring certain bridges and overpasses to have their maximum clearance marked **or posted** thereon, ***and*** providing for signs warning approaching motorists of the bridges and overpasses *+++[*]*, and making an appropriation ****+++.

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

1 1. a. *Every bridge or overpass carrying a municipal road or*
2 *highway or under the jurisdiction of a municipality,* with a clear-*
3 *ance of less than 14 feet *six inches* from the roadway beneath*
4 *shall have the maximum clearance marked or posted thereon in*
5 *accordance with the current standards prescribed by the Manual*
6 *on Uniform Traffic Control Devices for Streets and Highways.*

7 b. Signs warning persons driving motor vehicles that they are
8 approaching a bridge or overpass with less than 14 feet **six inches**
9 clearance shall be posted at the last safe exit or detour preceding
10 the bridge or overpass and the maximum clearance of the bridge
10A or overpass shall be indicated on these signs.

11 c. The signs *or markings* required by this section shall be posted
12 *or marked, as appropriate, by, and shall be maintained by *the*
13 *governmental entity*, *b. it* the State or the political sub-*
14 *division*,* which has jurisdiction *[for] *over* the roadway*
15 *underneath the bridge or overpass. **The provisions of this section*
16 *shall not apply to the toll road authorities.***

1 2. a. *Every bridge or overpass carrying a county road or high-*
2 *way or under the jurisdiction of a county,* with a clearance*
3 *of less than 14 feet *six inches* from the roadway beneath, shall*
4 *have the maximum clearance marked or posted thereon in accor-*

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 committee amendments adopted March 6, 1986.

**—Assembly committee amendments adopted May 22, 1986.

+++—This item and language eliminated by the Governor on signing September 5, 1986.

5 *dance with the current standards prescribed by the Manual on*
6 *Uniform Traffic Control Devices for Streets and Highways.*

7 b. Signs warning persons driving motor vehicles that they are
8 approaching a bridge or overpass with less than 14 feet *six inches*
9 clearance shall be posted at the last safe exit or detour preceding
10 the bridge or overpass and the maximum clearance of the bridge
11 or overpass shall be indicated on these signs.

12 c. The signs or markings required by this section shall be
13 posted or marked, as appropriate, by, and shall be maintained
14 by *the governmental entity*, *be it* the State or the *political*
15 subdivision*,* which has jurisdiction *[for]* *over* the road-
16 way underneath the bridge or overpass. **The provisions of this
17 section shall not apply to the toll road authorities.**

1 3. a. *Every bridge or overpass carrying a State road or high-*
2 *way or under the jurisdiction of the Department of Transporta-*
3 *tion*,* with a clearance of less than 14 feet *six inches* from the*
4 *roadway beneath, shall have the maximum clearance marked or*
5 *posted thereon in accordance with the current standards prescribed*
6 *by the Manual on Uniform Traffic Control Devices for Streets*
7 *and Highways.*

8 b. Signs warning persons driving motor vehicles that they are
9 approaching a bridge or overpass with less than 14 feet *six inches*
10 clearance shall be posted at the last safe exit or detour preceding
11 the bridge or overpass and the maximum clearance of the bridge
12 or overpass shall be indicated on these signs.

13 c. The signs or markings required by this section shall be
14 posted or marked, as appropriate, by, and shall be maintained by
15 *the governmental entity*, *be it* the State or the political sub-
16 division*,* which has jurisdiction *[for]* *over* the roadway
17 underneath the bridge or overpass. **The provisions of this sec-
18 tion shall not apply to the toll road authorities.**

1 4. a. *Every bridge or overpass carrying a railroad*,* with a clear-*
2 *ance of less than 14 feet *six inches* from the roadway beneath,*
3 *shall have the maximum clearance marked or posted thereon in*
4 *accordance with the current standards prescribed by the Manual*
5 *on Uniform Traffic Control Devices for Streets and Highways.*

6 b. Signs warning persons driving motor vehicles that they are
7 approaching a bridge or overpass with less than 14 feet *six
8 inches* clearance shall be posted at the last safe exit or detour
9 preceding the bridge or overpass and the maximum clearance of
10 the bridge or overpass shall be indicated on these signs.

11 c. The signs or markings required by this section shall be
12 posted or marked, as appropriate, by, and shall be maintained

13 by *the governmental entity*, [*over*] *be it the State or the*
 14 *political subdivision*, *which has jurisdiction* *[for]* [*be it*]
 15 *over the roadway underneath the bridge or overpass.* *The pro-*
 16 *visions of this section shall not apply to the toll road authorities.*

1 †††[*5.* *There is appropriated from the General Fund the sum*
 2 *of \$95,000.00 to the Department of Transportation to allocate to*
 3 *the counties and municipalities as assistance for costs incurred*
 4 *pursuant to this act.*†††

1 *[5.]* †††[*6.*†††]††† †††5.††† This act shall take effect *[on*
 2 *the 90th day following its enactment]* *immediately*, *except that*
 3 *signs or markings shall not be required to be posted or marked*
 4 *until the* *[365th]* *first day* *[following]* *of the 24th month*
 5 *after the effective date of this act.*

TRANSPORTATION—HIGHWAYS AND ROADS

Requires certain bridges and overpasses to have maximum clearance marked or posted thereon.

104 86
9-5-86
[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 396

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator RAND

AN ACT requiring certain bridges and overpasses to have their maximum clearance marked **or posted** thereon, ***and*** providing for signs warning approaching motorists of the bridges and overpasses ****[**, and making an appropriation**]****.

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

1 1. a. *Every bridge or overpass carrying a municipal road or*
2 *highway or under the jurisdiction of a municipality*,* with a clear-*
3 *ance of less than 14 feet *six inches* from the roadway beneath*
4 *shall have the maximum clearance marked or posted thereon in*
5 *accordance with the current standards prescribed by the Manual*
6 *on Uniform Traffic Control Devices for Streets and Highways.*

7 b. Signs warning persons driving motor vehicles that they are
8 approaching a bridge or overpass with less than 14 feet **six inches**
9 clearance shall be posted at the last safe exit or detour preceding
10 the bridge or overpass and the maximum clearance of the bridge
10A or overpass shall be indicated on these signs.

11 c. The signs or markings required by this section shall be posted
12 or marked, as appropriate, by, and shall be maintained by **the*
13 *governmental entity**, **be it** the State or the political sub-
14 division*,* which has jurisdiction **[for]* *over** the roadway
15 underneath the bridge or overpass. ***The provisions of this section*
16 *shall not apply to the toll road authorities.***

1 2. a. *Every bridge or overpass carrying a county road or high-*
2 *way or under the jurisdiction of a county*,* with a clearance*
3 *of less than 14 feet *six inches* from the roadway beneath, shall*
4 *have the maximum clearance marked or posted thereon in accor-*

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 committee amendments adopted March 6, 1986.

**—Assembly committee amendments adopted May 22, 1986.

***—Senate amendments adopted in accordance with Governor's recommendation September 8, 1986.

5 *dance with the current standards prescribed by the Manual on*
6 *Uniform Traffic Control Devices for Streets and Highways.*

7 b. Signs warning persons driving motor vehicles that they are
8 approaching a bridge or overpass with less than 14 feet **six inches**
9 clearance shall be posted at the last safe exit or detour preceding
10 the bridge or overpass and the maximum clearance of the bridge
11 or overpass shall be indicated on these signs.

12 c. The signs or markings required by this section shall be
13 posted or marked, as appropriate, by, and shall be maintained
14 by **the governmental entity**, **be it** the State or *the *political**
15 *subdivision**, which has jurisdiction **[for]* *over** the road-
16 way underneath the bridge or overpass. ***The provisions of this*
17 *section shall not apply to the toll road authorities.***

1 3. a. *Every bridge or overpass carrying a State road or high-*
2 *way or under the jurisdiction of the Department of Transporta-*
3 *tion**, with a clearance of less than 14 feet **six inches** from the
4 roadway beneath, shall have the maximum clearance marked or
5 posted thereon in accordance with the current standards prescribed
6 by the Manual on Uniform Traffic Control Devices for Streets
7 and Highways.

8 b. Signs warning persons driving motor vehicles that they are
9 approaching a bridge or overpass with less than 14 feet **six inches**
10 clearance shall be posted at the last safe exit or detour preceding
11 the bridge or overpass and the maximum clearance of the bridge
12 or overpass shall be indicated on these signs.

13 c. The signs or markings required by this section shall be
14 posted or marked, as appropriate, by, and shall be maintained by
15 **the governmental entity**, **be it** the State or *the political sub-*
16 *division**, which has jurisdiction **[for]* *over** the roadway
17 underneath the bridge or overpass. ***The provisions of this sec-*
18 *tion shall not apply to the toll road authorities.***

1 4. a. *Every bridge or overpass carrying a railroad**, with a clear-
2 *ance of less than 14 feet *six inches* from the roadway beneath,*
3 *shall have the maximum clearance marked or posted thereon in*
4 *accordance with the current standards prescribed by the Manual*
5 *on Uniform Traffic Control Devices for Streets and Highways.*

6 b. Signs warning persons driving motor vehicles that they are
7 approaching a bridge or overpass with less than 14 feet **six*
8 *inches** clearance shall be posted at the last safe exit or detour
9 preceding the bridge or overpass and the maximum clearance of
10 the bridge or overpass shall be indicated on these signs.

11 c. The signs or markings required by this section shall be
12 posted or marked, as appropriate, by, and shall be maintained

13 by *the governmental entity*, **[over]** *be it* the State or the
 14 *political subdivision*, which has jurisdiction **[for]** **[be it]**
 15 *over* the roadway underneath the bridge or overpass. *The pro-*
 16 *visions of this section shall not apply to the toll road authorities.*

1 **[5.]** *There is appropriated from the General Fund the sum*
 2 *of \$95,000.00 to the Department of Transportation to allocate to*
 3 *the counties and municipalities as assistance for costs incurred*
 4 *pursuant to this act.*

1 **[5.]** **[6.]** *5.* This act shall take effect **[on**
 2 the 90th day following its enactment] *immediately*, except that
 3 signs or markings shall not be required to be posted or marked
 4 until the **[365th]** *first* day **[following]** *of the 24th month*
 5 *after* the effective date of this act.

TRANSPORTATION—HIGHWAYS AND ROADS

Requires certain bridges and overpasses to have maximum clear-
 ance marked or posted thereon.

SENATE, No. 396

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION
By Senator RAND

[OFFICIAL COPY REPRINT]
SENATE, No. 1533

STATE OF NEW JERSEY

INTRODUCED APRIL 30, 1984

By Senators RAND, WEISS, COSTA and DALTON

Referred to Committee on Transportation and Communications

AN ACT requiring certain bridges and overpasses to have their maximum clearance marked **or posted** thereon, and providing for signs warning approaching motorists of the bridges and overpasses.

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

1 1. a. ***[The governing body of a municipality, for every bridge**
2 **or overpass within its jurisdiction with a clearance of less than 14**
3 **feet from the roadway, shall have the maximum clearance marked**
4 **thereon in letters at least 24 inches in height and three inches wide**
5 **per stroke, and no other writing shall appear thereon.]*** **Every*
6 *bridge or overpass carrying a municipal road or highway or under*
7 *the jurisdiction of a municipality with a clearance of less than 14*
8 *feet from the roadway beneath, shall have the maximum clearance*
9 *marked or posted thereon in accordance with the current standards*
10 *prescribed by the Manual on Uniform Traffic Control Devices for*
11 *Streets and Highways.**

12 b. Signs warning persons driving motor vehicles that they are
13 approaching a bridge or overpass with less than 14 feet clearance
14 shall be posted at the last safe exit or detour preceding the bridge
15 or overpass and the maximum clearance of the bridge or overpass
16 shall be indicated on these signs.

17 *c.* The signs **or markings** required by this ***[subsection]***
18 ***section*** shall be posted **or marked, as appropriate, by,** and
19 **shall be** maintained by*,* the State or ***[its]*** **the** political
20 subdivision which has jurisdiction for the roadway underneath the
21 bridge or overpass.

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 committee amendments adopted May 14, 1984.

1 2. a. **“**[The governing body of a county, for every bridge or over-
 2 pass within its jurisdiction with a clearance of less than 14 feet
 3 from the roadway, shall have the maximum clearance marked
 4 thereon in letters at least 24 inches in height and three inches wide
 5 per stroke, and no other writing shall appear thereon.]**”** *“Every*
 6 *bridge or overpass carrying a county road or highway or under*
 7 *the jurisdiction of a county with a clearance of less than 14 feet*
 8 *from the roadway beneath, shall have the maximum clearance*
 9 *marked or posted thereon in accordance with the current standards*
 10 *prescribed by the Manual on Uniform Traffic Control Devices for*
 11 *Streets and Highways.”*

12 b. Signs warning persons driving motor vehicles that they are
 13 approaching a bridge or overpass with less than 14 feet clearance
 14 shall be posted at the last safe exit or detour preceding the bridge
 15 or overpass and the maximum clearance of the bridge or overpass
 16 shall be indicated on these signs.

17 *“c.”* The signs *“or markings”* required by this **“**[subsection]**”**
 18 *“section”* shall be posted *“or marked, as appropriate, by,”* and
 19 *“shall be”* maintained by^{*}, the State or **“**[its]**”** *“the”* subdivision
 20 which has jurisdiction for the roadway underneath the bridge or
 21 overpass.

1 3. a. **“**[The Department of Transportation, for every bridge or
 2 overpass within its jurisdiction with a clearance of less than 14
 3 feet from the roadway, shall have the maximum clearance marked
 4 thereon in letters at least 24 inches in height and three inches wide
 5 per stroke, and no other writing shall appear thereon.]**”** *“Every*
 6 *bridge or overpass carrying a State road or highway or under the*
 7 *jurisdiction of the Department of Transportation with a clearance*
 8 *of less than 14 feet from the roadway beneath, shall have the maxi-*
 9 *imum clearance marked or posted thereon in accordance with the*
 10 *current standards prescribed by the Manual on Uniform Traffic*
 11 *Control Devices for Streets and Highways.”*

12 b. Signs warning persons driving motor vehicles that they are
 13 approaching a bridge or overpass with less than 14 feet clearance
 14 shall be posted at the last safe exit or detour preceding the bridge
 15 or overpass and the maximum clearance of the bridge or overpass
 16 shall be indicated on these signs.

17 *“c.”* The signs *“or markings”* required by this **“**[subsection]**”**
 18 *“section”* shall be posted *“or marked, as appropriate, by,”* and
 19 *“shall be”* maintained by^{*}, the State or **“**[its]**”** *“the”* political
 20 subdivision which has jurisdiction for the roadway underneath the
 21 bridge or overpass.

1 *4. a. Every bridge or overpass carrying a railroad with a
 2 clearance of less than 14 feet from the roadway beneath, shall have
 3 the maximum clearance marked or posted thereon in accordance
 4 with the current standards prescribed by the Manual on Uniform
 5 Traffic Control Devices for Streets and Highways.

6 b. Signs warning persons driving motor vehicles that they are
 7 approaching a bridge or overpass with less than 14 feet clearance
 8 shall be posted at the last safe exit or detour preceding the bridge
 9 or overpass and the maximum clearance of the bridge or overpass
 10 shall be indicated on these signs.

11 c. The signs or markings required by this section shall be posted
 12 or marked, as appropriate, by, and shall be maintained by, the
 13 State or the political subdivision which has jurisdiction for the
 14 roadway underneath the bridge or overpass.*

1 *~~4.~~* *5.* This act shall take effect on the 90th day following
 2 its enactment*, except that signs or markings shall not be required
 3 to be posted or marked until the 365th day following the effective
 4 date of this act*.

STATEMENT

This bill would correct the present situation wherein because of inadequate posting of height restrictions certain commercial motor vehicles get wedged between the road surface and a bridge or overpass.

5396(1986)

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 396

[OFFICIAL COPY REPRINT]

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 22, 1986

The Assembly Appropriations Committee favorably reports this bill, as amended.

Senate Bill No. 396 (OCR) as amended provides that every bridge or overpass with clearance of less than 14½ feet, under the jurisdiction of or carrying a municipal, county or State road or highway, must have the maximum clearance marked or posted. Additionally, there must be warning signs posted at the last safe exit or detour as drivers approach these bridges or overpasses. The government entity having jurisdiction over the roadway must post or mark and maintain the warning signs. The time period for the signs or markings to be posted or marked is two years after enactment. The provisions of the bill will not apply to the toll road authorities.

FISCAL IMPACT:

There has not been a fiscal note prepared for this bill. The cost of posting or marking and the maintenance of the markings will be the responsibility of the State or political subdivision which has jurisdiction of the roadway beneath the bridge or overpass having a clearance of less than 14½ feet. However, the signs or postings do not have to be provided for 24 months after enactment. There is an appropriation of \$95,000.00 to be allotted to those counties and municipalities incurring costs.

COMMITTEE AMENDMENTS:

The committee amended the bill, as recommended by the Sub-Committee on Government Operations, to exclude the toll road authorities and to make an appropriation of \$95,000.00 to assist those counties and municipalities incurring costs.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

SENATE, No. 396

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MARCH 6, 1986

The Senate Transportation and Communications Committee reports favorably Senate Bill No. 396 with Senate committee amendments.

This bill is intended to correct the present situation wherein because of inadequate posting of height restrictions, certain commercial vehicles get wedged between the road surface and a bridge or overpass.

As amended by the committee, this bill provides that every bridge or overpass carrying a municipal, county or State road or highway or under their jurisdiction with a clearance of less than 14 feet six inches from the roadway beneath, shall have the maximum clearance marked or posted thereon in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways. In addition, signs indicating the maximum clearance are to be posted at the last safe exit or detour preceding the bridge or overpass. The responsibility for posting or marking and maintaining the signs or markings shall rest with the governmental entity, be it the State or the political subdivision, which has jurisdiction over the roadway underneath the bridge or overpass. In addition, the provisions of the bill are to apply to bridges carrying railroads. The amended bill also provides that the required signs and markings are to be posted or marked 24 months after the effective date of the act.

The principal amendments adopted by the committee were a change in the clearance requirement from 14 feet to 14 feet six inches in order to conform the bill to the Manual on Uniform Traffic Control Devices for Streets and Highways, and a clarification of the language of the bill to make clear that the responsibility for posting or marking and maintaining the signs or markings rests with the political entity, be it the State or the political subdivision, which has jurisdiction over the roadway underneath the bridge or overpass. In addition, the bill was amended to permit two years from the effective date rather than only one year, as the period of time during which the signs or markings are to be posted or marked.

As amended by the committee, the bill is identical to Assembly Bill No. 1835 (OCR), released by the Assembly Transportation, Communications and High Technology Committee.

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

September 5, 1986

SENATE BILL NO. 396 (2nd OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 396 (2nd OCR) at the time of signing it, this statement of the items, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

This legislation provides that every bridge or overpass with a clearance of less than 14½ feet, under the jurisdiction of or carrying a municipal, county or State road or highway, must have the maximum clearance marked or posted thereon. This is designed to correct situations where certain commercial vehicles become wedged between the road surface and a bridge or overpass because of inadequate postings of height restrictions. The posting shall be made in accordance with the standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways. Furthermore, the legislation requires the installation of warning signs at the last safe exit or detour preceding a bridge or overpass with a clearance under 14½ feet. The warning signs would indicate the maximum clearance of an approaching bridge or overpass.

The responsibility for the placement and maintenance of the aforementioned warning signs shall rest with the governmental entity possessing jurisdiction over the roadway underneath a particular bridge or overpass. Additionally, the bill appropriates \$95,000.00 from the General Fund to the Department of Transportation to provide counties and municipalities with assistance for the costs associated with the legislation.

Although I support the intention of this legislation, I find the appropriation provided in Senate Bill No. 396 (2nd OCR) to be unnecessary. I believe that the costs incurred by a county or municipality to install and maintain the required warning signs can be easily absorbed by each political subdivision affected by this legislation. In contrast, the Department of Transportation would have to incur expenses far in excess of the proposed \$95,000.00 appropriation to administer and oversee distribution of the funds.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

Accordingly, I am removing the appropriation contained in Senate Bill
No. 396 (2nd OCR) as follows:

Page 3, Section 5, Lines 1-4: Delete in its entirety.

Page 3, Section 6, Line 1: Delete "6." and insert "5."

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Michael R. Cole

Chief Counsel