

39:4-98.2

LEGISLATIVE HISTORY CHECKLIST

(Highways - local - repairs - allow speed limit reduction without approval of Commissioner of Transportation)

NJSA 39:4-98.2

LAWS 1981

CHAPTER 237

Bill No. A1162

Sponsor(s) Littell

Date Introduced Feb. 25, 1980

Committee: Assembly Transportation and Communications

Senate Transportation and Communications

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Nov. 24, 1980

Senate June 8, 1981

Date of approval July 27, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto Message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

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ASSEMBLY, No. 1162

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1980

By Assemblyman LITTELL

Referred to Committee on Transportation and Communications

AN ACT concerning highway rates of speed and supplementing chapter 4 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. Any county or municipal governing body may adopt an ordi-  
2 nance or resolution, as appropriate, designating a county or mu-  
3 nicipal official who may order a reduction of a regular speed limit  
4 for periods not to exceed 72 hours on segments of highways under  
5 its jurisdiction for the purposes of \***[**construction, reconstruction,  
6 improvement,**]**\* maintenance\***[,]**\* or repairs. Any resolution or  
7 ordinance adopted pursuant to this act shall specify the circum-  
8 stance under which a speed limit may be reduced.

9 An order reducing the speed limit pursuant to this act shall not  
10 require the approval of the Commissioner of Transportation; pro-  
11 vided, however, that it shall be the duty of the designated county  
12 or municipal official to notify the commissioner of the affected  
13 segment of highway no less than \***[24 hours]**\* \*7 days\* before any  
14 reduced speed limit takes effect \**except that in cases of emergency*  
14A *situations the notification period may be waived by the commis-*  
14B *sioner. It shall be the duty of the designated county or municipal*  
14C *official to place one or more signs indicating the reduced speed limit*  
14D *along the affected highway\*.*

15 Any speed limit established pursuant to this act shall be prima  
16 facie lawful and subject to the provisions of R. S. 39:4-96 and  
17 39:4-97 when appropriate signs giving notice thereof are erected.

1 2. This act shall take effect immediately.

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

ASSEMBLY, No. 1162

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2 *of New Jersey:*

1 1. Any county or municipal governing body may adopt an ordi-  
2 nance or resolution, as appropriate, designating a county or mu-  
3 nicipal official who may order a reduction of a regular speed limit  
4 for periods not to exceed 72 hours on segments of highways under  
5 its jurisdiction for the purposes of construction, reconstruction,  
6 improvement, maintenance, or repairs. Any resolution or ordi-  
7 nance adopted pursuant to this act shall specify the circumstance  
8 under which a speed limit may be reduced.

9 An order reducing the speed limit pursuant to this act shall not  
10 require the approval of the Commissioner of Transportation; pro-  
11 vided, however, that it shall be the duty of the designated county  
12 or municipal official to notify the commissioner of the affected  
13 segment of highway no less than 24 hours before any reduced  
14 speed limit takes effect.

15 Any speed limit established pursuant to this act shall be prima  
16 facie lawful and subject to the provisions of R. S. 39:4-96 and  
17 39:4-97 when appropriate signs giving notice thereof are erected.

1 2. This act shall take effect immediately.

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STATEMENT

The purpose of this bill is to enable counties and municipalities to establish temporary reductions in speed limits on local highways undergoing construction, reconstruction, improvement, maintenance, or repairs without seeking the approval of the Commissioner of Transportation. The present mechanism, requiring the approval of the commissioner in advance, is far too cumbersome and time consuming to meet the constantly changing needs and responsibilities of the counties and municipalities.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1162**  
with Assembly committee amendment

**STATE OF NEW JERSEY**

DATED: NOVEMBER 10, 1980

This bill, as amended by the committee, enables counties and municipalities to establish temporary reductions in speed limits on local highways under their jurisdiction for a period not to exceed 72 hours on such highways undergoing maintenance or repairs without receiving the approval of the Commissioner of Transportation provided that the commissioner is notified no less than 7 days before any reduced speed limit takes effect. The committee inserted another provision waiving the required 7 day notification period in cases where an emergency situation prevails and the Commissioner of Transportation so determines.

The bill also provides that it shall be the duty of the local governing body to place one or more signs indicating the reduced speed limit along the affected highway. In addition, this legislation also states that any speed limit established pursuant to this act shall be lawful in cases involving reckless driving or careless driving as provided in R. S. 39:4-96 and R. S. 39:4-97 when appropriate signs giving notice of the reduced speed limit are erected.

SENATE TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1162**

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**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1981

This legislation allows counties and municipalities to establish reductions in speed limits on local highways under their jurisdiction for a period not to exceed 72 hours when such highways are undergoing maintenance or repairs. The approval of the Commissioner of Transportation shall not be required provided that he is notified 7 days prior to any reduced speed limit taking effect. The 7 day notification period shall be waived in an emergency situation.

It shall be the responsibility of the local governing body to place one or more signs indicating the reduced speed limit along the affected highway. The legislation also provides that any speed limit established pursuant to this act shall be lawful in cases involving reckless driving or careless driving as provided in R. S. 39:4-96 and R. S. 39:4-97 when appropriate signs giving notice of the reduced speed limit are erected.