

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Signs serve as texting reminder," CourierPostOnline.com, 8-15-13

"'Nikki's Law' named after Washington Township teen Nikki Kellenyi signed into law," South Jersey Times, 8-15-13

"N.J.to get signs on texting, driving," The Philadelphia Inquirer," 8-15-13

"Gov. Christie signs anti-car-texting law," The Star-Ledger, 8-15-13

LAW/KR

(CORRECTED COPY)

P.L.2013, CHAPTER 141, *approved August 14, 2013*

Assembly, No. 3873 (*First Reprint*)

1 AN ACT requiring the Commissioner of Transportation to erect
2 certain signs ¹, designated as “Nikki’s Law,”¹ and supplementing
3 Title 27 of the Revised Statutes.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. The Commissioner of Transportation, in consultation with
9 the Director of the Division of Highway Traffic Safety in the
10 Department of Law and Public Safety, shall erect appropriate
11 signage and use variable message signs in this State, informing
12 motorists that the operator of a moving motor vehicle is prohibited,
13 pursuant to section 1 of P.L.2003, c.310 (C.39:4-97.3), from text
14 messaging and sending electronic messages via a wireless telephone
15 or electronic communication device. Signs erected pursuant to this
16 section shall be consistent with applicable federal standards
17 including those prescribed by the Manual on Uniform Traffic
18 Control Devices for Streets and Highways, if applicable.
19

20 2. This act shall take effect immediately.
21
22
23
24

25 _____
26 “Nikki’s Law”; requires DOT Commissioner to erect signs and
27 use variable message signs to inform motorists of State law
prohibiting texting while driving.

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATR committee amendments adopted March 14, 2013.

ASSEMBLY, No. 3873

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 21, 2013

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblyman S.Kean

SYNOPSIS

Requires DOT Commissioner to erect signs and use variable message signs to inform motorists of State law prohibiting texting while driving.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring the Commissioner of Transportation to erect
2 certain signs and supplementing Title 27 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. The Commissioner of Transportation, in consultation with
8 the Director of the Division of Highway Traffic Safety in the
9 Department of Law and Public Safety, shall erect appropriate
10 signage and use variable message signs in this State, informing
11 motorists that the operator of a moving motor vehicle is prohibited,
12 pursuant to section 1 of P.L.2003, c.310 (C.39:4-97.3), from text
13 messaging and sending electronic messages via a wireless telephone
14 or electronic communication device. Signs erected pursuant to this
15 section shall be consistent with applicable federal standards
16 including those prescribed by the Manual on Uniform Traffic
17 Control Devices for Streets and Highways, if applicable.

18

19 2. This act shall take effect immediately.

20

21

22

STATEMENT

23

24 This bill requires the Commissioner of Transportation, in
25 consultation with the Director of the Division of Highway Traffic
26 Safety in the Department of Law and Public Safety, to erect
27 appropriate signage and use variable message signs, informing
28 motorists that the operator of a moving motor vehicle is prohibited
29 from text messaging and sending electronic messages via wireless
30 telephone or electronic communication device.

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3873

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 14, 2013

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably and with committee amendments Assembly Bill No. 3873.

As amended and reported, this bill, designated as “Nikki’s Law,” requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to erect appropriate signage and use variable message signs, informing motorists that the operator of a moving motor vehicle is prohibited from text messaging and sending electronic messages via wireless telephone or electronic communication device.

COMMITTEE AMENDMENTS

The committee amended the bill to designate the bill as “Nikki’s Law,” in memory of Nikki Kellenyi, an 18-year old National Honor Society for Business student and champion equestrian from Washington Township, New Jersey who tragically died in an automobile accident in 2012.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3873

STATE OF NEW JERSEY 215th LEGISLATURE

DATED: MAY 2, 2013

SUMMARY

- Synopsis:** “Nikki’s Law”; requires DOT commissioner to erect signs and use variable message signs to inform motorists of State law prohibiting texting while driving.
- Type of Impact:** State Cost
- Agencies Affected:** Department of Transportation (DOT), Department of Law and Public Safety

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See comments below		

- The bill requires the promulgation of informational signs about the ban on texting or messaging while driving. Information conveyed through variable message signs will have no net cost to the State.
- The design and production of physical signs would likely cost approximately \$2,000 per sign for materials, equipment, labor, and design. The number of physical signs that would be deployed is unknown.

BILL DESCRIPTION

Assembly Bill No. 3873 (1R) of 2013 requires the erection of appropriate signs along State roadways which inform motorists that the operator of a motor vehicle is prohibited from text messaging and sending electronic messages via a wireless telephone or electronic communication device. Signs erected under the bill are required to conform to any applicable federal standards, including those prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, if applicable.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services finds that it is not possible to determine the fiscal impact of the proposed bill at this time. The bill allows the required signs to be provided through physical signs and through variable message boards.

Signs displayed on variable message boards would have no cost to the state, as the required message could be programmed into the board's display utilizing existing equipment and staff.

A physical sign would likely cost approximately \$2,000 per sign to erect and maintain. This cost includes materials, the cost of designing the message, hiring an outside firm to stamp the message onto the sign, labor costs for identifying the location along the roadway and installing the sign, as well as the cost of maintaining the sign over time. This \$2,000 per sign estimate is based on information available that certain American Recovery and Reinvestment Act informational road signs cost approximately \$2,000 per sign; those signs were larger and likely more costly than those which would be appropriate for this bill.

The number of signs to be placed throughout the State is not clear. The number would likely range between zero and 100 given similar informational sign deployments in the past, and would result in a total State cost of between \$0 and \$200,000. Almost the entire cost would be realized in the first year after enactment.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Associate Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2406

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED DECEMBER 20, 2012

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

SYNOPSIS

Requires DOT Commissioner to erect signs to inform motorists of State law prohibiting texting while driving; makes appropriation.

CURRENT VERSION OF TEXT

As introduced.



S2406 MADDEN

2

1 AN ACT requiring the Commissioner of Transportation to erect
2 certain signs, supplementing Title 27 of the Revised Statutes, and
3 making an appropriation.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. The Commissioner of Transportation, in consultation with
9 the Director of the Division of Highway Traffic Safety in the
10 Department of Law and Public Safety, shall erect appropriate
11 signage in this State, informing motorists that the operator of a
12 moving motor vehicle is prohibited, pursuant to section 1 of
13 P.L.2003, c.310 (C.39:4-97.3), from text messaging and sending
14 electronic messages via a wireless telephone or electronic
15 communication device. Signs erected pursuant to this act shall be
16 consistent with applicable federal standards including those
17 prescribed by the Manual on Uniform Traffic Control Devices for
18 Streets and Highways, if applicable.
19

20 2. There is appropriated from the General Fund to the
21 Department of Transportation \$100,000 to effectuate the provisions
22 of the act.
23

24 3. This act shall take effect immediately.
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27 STATEMENT
28

29 This bill requires the Commissioner of Transportation, in
30 consultation with the Director of the Division of Highway Traffic
31 Safety in the Department of Law and Public Safety, to erect
32 appropriate signage informing motorists that the operator of a
33 moving motor vehicle is prohibited from text messaging and
34 sending electronic messages via wireless telephone or electronic
35 communication device. The bill also appropriates \$100,000 from
36 the General Fund for the purpose of purchasing and erecting the
37 signs.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2406

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 20, 2013

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 2406.

As amended and reported, this bill, designated as “Nikki’s Law,” requires the Commissioner of Transportation, in consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety, to erect appropriate signage and use variable message signs, informing motorists that the operator of a moving motor vehicle is prohibited from text messaging and sending electronic messages via wireless telephone or electronic communication device.

The committee amended the bill to designate the bill as “Nikki’s Law,” in memory of Nikki Kellenyi, an 18-year old National Honor Society for Business student and champion equestrian from Washington Township, New Jersey who tragically died in an automobile accident in 2012. The amendments also remove the bill’s appropriation.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2406 STATE OF NEW JERSEY 215th LEGISLATURE

DATED: JUNE 27, 2013

SUMMARY

- Synopsis:** “Nikki’s Law”; requires DOT commissioner to erect signs and use variable message signs to inform motorists of State law prohibiting texting while driving.
- Type of Impact:** State Cost
- Agencies Affected:** Department of Transportation (DOT), Department of Law and Public Safety

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See comments below		

- The bill requires the promulgation of informational signs about the ban on texting or messaging while driving. Information conveyed through variable message signs will have no net cost to the State.
- The design and production of physical signs would likely cost approximately \$2,000 per sign for materials, equipment, labor, and design. The number of physical signs that would be deployed is unknown, but likely in the range of 0-100, setting the upper limit on costs at approximately \$200,000 to be realized largely in year 1.

BILL DESCRIPTION

Senate Bill No. 2406 (1R) of 2012 requires the erection of appropriate signs along State roadways which inform motorists that the operator of a motor vehicle is prohibited from text messaging and sending electronic messages via a wireless telephone or electronic communication device. Signs erected under the bill are required to conform to any applicable federal standards, including those prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, if applicable.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) finds that it is not possible to determine the fiscal impact of the proposed bill at this time. The bill allows the required signs to be provided through physical signs and through variable message boards.

Signage displayed on variable message boards would have no cost to the state, as the required message could be programmed into the board's display utilizing existing equipment and staff.

A physical sign would likely cost approximately \$2,000 per sign to erect and maintain. This cost includes materials, the cost of designing the message, hiring an outside firm to stamp the message onto the sign, labor costs for identifying the location along the roadway and installing the sign, as well as the cost of maintaining the sign over time. This \$2,000 per sign estimate is based on information available that certain American Recovery and Reinvestment Act informational road signs cost approximately \$2,000 per sign; those signs were larger and likely more costly than those which would be appropriate for this bill.

The number of signs to be placed throughout the State is not clear. The number would likely range between 0 and 100 given similar informational sign deployments in the past, and would result in a total State cost of between \$0 and \$200,000. Almost the entire cost would be realized in the first year after enactment.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Associate Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).