

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR

P.L.2015, CHAPTER 3, *approved January 29, 2015*
Assembly, No. 1483 (*Second Reprint*)

1 AN ACT concerning traffic calming measures taken by
2 municipalities on State roadways and amending P.L.2004, c.107.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹1. Section 1 of P.L.2004, c.107 (C.39:4-8.9) is amended to read
8 as follows:

9 1. As used in **[this act]** P.L.2004, c.107 (C.39:4-8.9 et seq.):
10 "Department" means the Department of Transportation.
11 "Private roads" means semipublic or private roads, streets,
12 driveways, parkways, parking areas, or other roadways owned by a
13 private person, corporation, or institution open to or used by the
14 public for the purposes of vehicular travel by permission of **[such]**
15 those persons, corporations, or institutions and not as a matter of
16 public right.

17 "Speed hump" means one of several traffic calming measures
18 which use forces of vertical acceleration to discourage speeding.
19 For purposes of this chapter, speed humps means all vertical speed
20 deflectors, including but not limited to, speed tables, raised
21 crosswalks, raised intersections, and modified speed humps.

22 "Traffic calming measure" means the combination of physical
23 controls and community support to reduce the negative effects of
24 motor vehicle use, alter driver behavior, and improve conditions for
25 non-motorized users, and includes, but is not limited to, speed
26 humps.

27 "Vertical speed deflector" means a raised area in the roadway
28 pavement surface extending transversely across the travel way.¹
29 (cf: P.L.2008, c.110, s.4)

30
31 ¹**[1.] 2.**¹ Section 2 of P.L.2004, c.107 (C.39:4-8.10) is
32 amended to read as follows:

33 2. a. Pursuant to the provisions of section 3 of P.L.2004, c.107
34 (C.39:4-8.11), a municipality or county may, without the approval
35 of the commissioner, construct a speed hump on two-lane
36 residential streets and on one-way residential streets under
37 municipal or county jurisdiction with a posted speed of 30 mph or
38 less and which have fewer than 3,000 vehicles per day. The board
39 of directors of any corporation, or the board of trustees of any
40 corporation or other institution of a public or semipublic nature not

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 floor amendments adopted June 23, 2014.

²Senate STR committee amendments adopted September 15, 2014.

1 for pecuniary profit, having control over private roads, may
2 construct or provide for the construction of a speed hump on any
3 private road subject to the provisions of Title 39 of the Revised
4 Statutes, pursuant to P.L.1945, c.284 (C.39:5A-1 et seq.).

5 b. Pursuant to the provisions of section 3 of P.L.2004, c.107
6 (C.39:4-8.11), a municipality or county may, without the approval
7 of the commissioner, construct traffic calming measures where
8 appropriate, which may include, but are not limited to, speed humps
9 on streets under municipal or county jurisdiction with a posted
10 speed of 30 mph or less and which have fewer than 3,000 vehicles
11 per day when any road construction project or repair of a street set
12 forth in this subsection is undertaken and located within 500 feet of
13 that street is a school or any property used for school purposes.

14 c. ¹Pursuant to the provisions of section 3 of P.L.2004, c.107
15 (C.39:4-8.11), a municipality or county may, without the approval
16 of the commissioner, construct traffic calming measures in business
17 districts on streets, other than on a street designated as a coastal
18 evacuation route by the Office of Emergency Management in the
19 Division of the State Police, under municipal or county jurisdiction.
20 The traffic calming measure shall comply with specifications
21 provided in the Manual on Uniform Traffic Control Devices for
22 Streets and Highways and any other department rule or regulation
23 governing traffic calming measures. For the purposes of this
24 subsection, “business district” shall have the same meaning as
25 provided in R.S.39:1-1.

26 d.¹ Prior to a municipality or county constructing a speed hump
27 which places any impact on roadways in an adjoining municipality
28 or county, the governing board or body of the municipality or
29 county shall provide appropriate notice to the adjoining
30 municipality or county.

31 ¹[d. [Prior] (1) Except as provided for in paragraph (2) of this
32 subsection, prior] e. Prior¹ to a municipality or county constructing
33 a speed hump ²or other traffic calming measure² which places any
34 impact on a State roadway, the county or municipality shall obtain
35 the approval of the commissioner.

36 ¹[(2) A municipality may authorize the imposition or
37 construction of traffic calming measures on any State or county
38 roadway, other than a roadway designated as a coastal evacuation
39 route by the New Jersey Office of Emergency Management, going
40 through a business district, without obtaining the approval of the
41 commissioner. However, the municipality shall provide notice to
42 the commissioner of any traffic calming action taken on a State or
43 county roadway. In the event the traffic calming measure taken by
44 the municipality involves the installment of speed humps or other
45 similar structure, the traffic calming measure shall be inspected by
46 the municipal engineer to ensure the traffic calming measures
47 comply with the Manual of Uniform Traffic Control Devices for

1 Streets and Highways, adopted by the Commissioner of
2 Transportation, and any other Department of Transportation rules
3 and regulations governing such traffic calming measures. For the
4 purposes of this paragraph, “business district” means, two or more
5 consecutive blocks which consist of primarily commercial
6 property.]¹

7 (cf: P.L.2008, c.110, s.5)

8

9 ¹**[2.] 3.**¹ This act shall take effect immediately.

10

11

12

13

14 Eliminates DOT approval of municipal traffic calming measures
15 in business districts.

ASSEMBLY, No. 1483

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Co-Sponsored by:

Assemblyman Coughlin

SYNOPSIS

Eliminates DOT approval of municipal traffic calming measures in business districts.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 6/6/2014)

1 AN ACT concerning traffic calming measures taken by
2 municipalities on State roadways and amending P.L.2004, c.107.

3

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

6

7 1. Section 2 of P.L.2004, c.107 (C.39:4-8.10) is amended to
8 read as follows:

9 2. a. Pursuant to the provisions of section 3 of P.L.2004, c.107
10 (C.39:4-8.11), a municipality or county may, without the approval
11 of the commissioner, construct a speed hump on two-lane
12 residential streets and on one-way residential streets under
13 municipal or county jurisdiction with a posted speed of 30 mph or
14 less and which have fewer than 3,000 vehicles per day. The board
15 of directors of any corporation, or the board of trustees of any
16 corporation or other institution of a public or semipublic nature not
17 for pecuniary profit, having control over private roads, may
18 construct or provide for the construction of a speed hump on any
19 private road subject to the provisions of Title 39 of the Revised
20 Statutes, pursuant to P.L.1945, c.284 (C.39:5A-1 et seq.).

21 b. Pursuant to the provisions of section 3 of P.L.2004, c.107
22 (C.39:4-8.11), a municipality or county may, without the approval
23 of the commissioner, construct traffic calming measures where
24 appropriate, which may include, but are not limited to, speed humps
25 on streets under municipal or county jurisdiction with a posted
26 speed of 30 mph or less and which have fewer than 3,000 vehicles
27 per day when any road construction project or repair of a street set
28 forth in this subsection is undertaken and located within 500 feet of
29 that street is a school or any property used for school purposes.

30 c. Prior to a municipality or county constructing a speed hump
31 which places any impact on roadways in an adjoining municipality
32 or county, the governing board or body of the municipality or
33 county shall provide appropriate notice to the adjoining
34 municipality or county.

35 d. **【Prior】** (1) Except as provided for in paragraph (2) of this
36 subsection, prior to a municipality or county constructing a speed
37 hump which places any impact on a State roadway, the county or
38 municipality shall obtain the approval of the commissioner.

39 (2) A municipality may authorize the imposition or construction
40 of traffic calming measures on any State or county roadway, other
41 than a roadway designated as a coastal evacuation route by the New
42 Jersey Department of Emergency Management, going through a
43 business district, without obtaining the approval of the
44 commissioner. However, the municipality shall provide notice to
45 the commissioner of any traffic calming action taken on a State or

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.

1 county roadway. In the event the traffic calming measure taken by
2 the municipality involves the installment of speed humps or other
3 similar structure, the traffic calming measure shall be inspected by
4 the municipal engineer to ensure the traffic calming measures
5 comply with the Manual of Uniform Traffic Control Devices for
6 Streets and Highways, adopted by the Commissioner of
7 Transportation, and any other Department of Transportation rules
8 and regulations governing such traffic calming measures. For the
9 purposes of this paragraph, “business district” means, two or more
10 consecutive blocks which consist of primarily commercial property.
11 (cf: P.L.2008, c.110, s.5)

12

13 2. This act shall take effect immediately.

14

15

16

STATEMENT

17

18 This bill authorizes a municipality to implement traffic calming
19 measures, such as speed humps, on State and county roadways
20 which go through business districts in the municipality, without first
21 obtaining the approval of the Commissioner of Transportation
22 (commissioner). Under the bill, the municipality only needs to
23 provide notice to the commissioner of its intention to implement
24 traffic calming measures on a State or county roadway. If a
25 municipality constructs traffic calming devices on a State or county
26 roadway, the municipal engineer is responsible for ensuring that the
27 traffic calming measure complies with the Manual of Uniform
28 Traffic Control Devices for Streets and Highways. For the purposes
29 of the bill, a business district is defined as an area having two or
30 more consecutive blocks of primarily commercial property. This
31 bill would not apply to roadways designated as coastal evacuation
32 routes by the New Jersey Office of Emergency Management.

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1483

STATE OF NEW JERSEY

DATED: JUNE 12, 2014

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 1483.

As reported, this bill authorizes a municipality to implement traffic calming measures, such as speed humps, on State and county roadways which go through business districts in the municipality, without first obtaining the approval of the Commissioner of Transportation (commissioner). Under the bill, the municipality only needs to provide notice to the commissioner of its intention to implement traffic calming measures on a State or county roadway. If a municipality constructs traffic calming devices on a State or county roadway, the municipal engineer is responsible for ensuring that the traffic calming measure complies with the Manual of Uniform Traffic Control Devices for Streets and Highways. For the purposes of the bill, a business district is defined as an area having two or more consecutive blocks of primarily commercial property. This bill would not apply to roadways designated as coastal evacuation routes by the New Jersey Office of Emergency Management.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO
ASSEMBLY, No. 1483

with Assembly Floor Amendments
(Proposed by Assemblyman DEANGELO)

ADOPTED: JUNE 23, 2014

These Assembly floor amendments allow a municipality or county to construct traffic calming measures in business districts on streets under municipal or county jurisdiction. As introduced, the bill allowed a municipality to construct traffic calming measures on State roadways.

The amendments also change the definition of business district. A business district is defined to mean that portion of a highway and the territory contiguous thereto, where within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway. Finally, the amendments add a definition of “traffic calming measure” to the statute which this bill amends. A traffic calming measure means the combination of physical controls and community support to reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users, and includes, but is not limited to, speed humps.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1483

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2014

The Senate Transportation Committee reports favorably and with committee amendments Assembly Bill No. 1483(1R).

As amended and reported, this bill allows a municipality or county to construct traffic calming measures in business districts on streets under municipal or county jurisdiction without the approval of the Commissioner of Transportation (commissioner). However, the bill does require that a county or municipality obtain the approval of the commissioner prior to constructing a speed hump or other traffic calming measure which places any impact on a State roadway.

A business district is defined as that portion of a highway where within any 600 feet along the highway there are buildings in use for business or industrial purposes, including, but not limited, to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side, or 300 feet collectively on both sides of the roadway. A traffic calming measure is defined to mean the combination of physical controls and community support to reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users, and includes, but is not limited to, speed humps.

As amended and reported, Assembly Bill No. 1483(1R) is identical to Senate Bill No. 2363 which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amended the bill to specify that a county or municipality is required to obtain the approval of the commissioner prior to constructing a speed hump or other traffic calming measure which places any impact on a State roadway. As introduced, the bill only required the commissioner's approval for the construction of speed humps.

SENATE, No. 2363

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED SEPTEMBER 15, 2014

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Eliminates DOT approval of municipal traffic calming measures in business districts.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning traffic calming measures taken by
2 municipalities on State roadways and amending P.L.2004, c.107.

3

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

6

7 1. Section 1 of P.L.2004, c.107 (C.39:4-8.9) is amended to read
8 as follows:

9 1. As used in **[this act]** P.L.2004, c.107 (C.39:4-8.9 et seq.):

10 "Department" means the Department of Transportation.

11 "Private roads" means semipublic or private roads, streets,
12 driveways, parkways, parking areas, or other roadways owned by a
13 private person, corporation, or institution open to or used by the
14 public for the purposes of vehicular travel by permission of **[such]**
15 those persons, corporations, or institutions and not as a matter of
16 public right.

17 "Speed hump" means one of several traffic calming measures
18 which use forces of vertical acceleration to discourage speeding.
19 For purposes of this chapter, speed humps means all vertical speed
20 deflectors, including but not limited to, speed tables, raised
21 crosswalks, raised intersections, and modified speed humps.

22 "Traffic calming measure" means the combination of physical
23 controls and community support to reduce the negative effects of
24 motor vehicle use, alter driver behavior, and improve conditions for
25 non-motorized users, and includes, but is not limited to, speed
26 humps.

27 "Vertical speed deflector" means a raised area in the roadway
28 pavement surface extending transversely across the travel way.

29 (cf: P.L.2008, c.110, s.4)

30

31 2. Section 2 of P.L.2004, c.107 (C.39:4-8.10) is amended to
32 read as follows:

33 2. a. Pursuant to the provisions of section 3 of P.L.2004,
34 c.107 (C.39:4-8.11), a municipality or county may, without the
35 approval of the commissioner, construct a speed hump on two-lane
36 residential streets and on one-way residential streets under
37 municipal or county jurisdiction with a posted speed of 30 mph or
38 less and which have fewer than 3,000 vehicles per day. The board
39 of directors of any corporation, or the board of trustees of any
40 corporation or other institution of a public or semipublic nature not
41 for pecuniary profit, having control over private roads, may
42 construct or provide for the construction of a speed hump on any
43 private road subject to the provisions of Title 39 of the Revised
44 Statutes, pursuant to P.L.1945, c.284 (C.39:5A-1 et seq.).

45 b. Pursuant to the provisions of section 3 of P.L.2004,

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.

1 c.107 (C.39:4-8.11), a municipality or county may, without the
2 approval of the commissioner, construct traffic calming measures
3 where appropriate, which may include, but are not limited to, speed
4 humps on streets under municipal or county jurisdiction with a
5 posted speed of 30 mph or less and which have fewer than 3,000
6 vehicles per day when any road construction project or repair of a
7 street set forth in this subsection is undertaken and located within
8 500 feet of that street is a school or any property used for school
9 purposes.

10 c. Pursuant to the provisions of section 3 of P.L.2004,
11 c.107 (C.39:4-8.11), a municipality or county may, without the
12 approval of the commissioner, construct traffic calming measures in
13 business districts on streets, other than on a street designated as a
14 coastal evacuation route by the Office of Emergency Management
15 in the Division of the State Police, under municipal or county
16 jurisdiction. The traffic calming measure shall comply with
17 specifications provided in the Manual on Uniform Traffic Control
18 Devices for Streets and Highways and any other department rule or
19 regulation governing traffic calming measures. For the purposes of
20 this subsection, “business district” shall have the same meaning as
21 provided in R.S.39:1-1.

22 d. Prior to a municipality or county constructing a speed hump
23 which places any impact on roadways in an adjoining municipality
24 or county, the governing board or body of the municipality or
25 county shall provide appropriate notice to the adjoining
26 municipality or county.

27 e. Prior to a municipality or county constructing a speed hump
28 which places any impact on a State roadway, the county or
29 municipality shall obtain the approval of the commissioner.

30 (cf: P.L.2008, c.110, s.5)

31

32 3. This act shall take effect immediately.

33

34

35

STATEMENT

36

37 This bill allows a municipality or county to construct traffic
38 calming measures in business districts on streets under municipal or
39 county jurisdiction. A business district is defined to mean that
40 portion of a highway where within any 600 feet along the highway
41 there are buildings in use for business or industrial purposes,
42 including but not limited to hotels, banks, office buildings, railroad
43 stations, and public buildings which occupy at least 300 feet of
44 frontage on one side or 300 feet collectively on both sides of the
45 roadway. A traffic calming measure is defined to mean the
46 combination of physical controls and community support to reduce
47 the negative effects of motor vehicle use, alter driver behavior, and

S2363 GREENSTEIN

4

- 1 improve conditions for non-motorized users, and includes, but is not
- 2 limited to, speed humps.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2363

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2014

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 2363.

As amended and reported, this bill allows a municipality or county to construct traffic calming measures in business districts on streets under municipal or county jurisdiction without the approval of the Commissioner of Transportation (commissioner). However, the bill does require that a county or municipality obtain the approval of the commissioner prior to constructing a speed hump or other traffic calming measure which places any impact on a State roadway.

A business district is defined as that portion of a highway where within any 600 feet along the highway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side, or 300 feet collectively on both sides of the roadway. A traffic calming measure is defined to mean the combination of physical controls and community support to reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users, and includes, but is not limited to, speed humps.

As amended and reported, Senate Bill No. 2363 is identical to Assembly Bill No. 1483(1R) which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amended the bill to specify that a county or municipality is required to obtain the approval of the commissioner prior to constructing a speed hump or other traffic calming measure which places any impact on a State roadway. As introduced, the bill only required the commissioner's approval for the construction of speed humps.