

27:1A-43 to
27:1A-53

August 6, 1969

Legislative Notes on R.S. 27:1A-43 to 27:1A-53
(Comm'r. of Transportation - to
assume traffic regulating duties)

No similar bills were introduced in previous years.

L. 1969, Chapter 65 - S441
Introduced February 3, 1969 by Knowlton.
There was a statement made. (Copy enclosed)
Bill was amended.

The following hearing dealt with this problem:

974.90 H.J. Legislature. Joint Appropriations Committee.
T764 ...Hearing re Dept. of Transportation - Mar. 5, 1968.
1968a

Clipping located was: "Road signs going under new control", Star -
Ledger, May 13, 1969.

JH /rb

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SENATE, No. 441

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1969

By Senator KNOWLTON

Referred to Committee on Transportation and Public Utilities

AN ACT concerning the organization of the State Government and transferring certain powers, duties and responsibilities of the Director of the Division of Motor Vehicles in the Department of Law and Public Safety to the Commissioner of Transportation of the Department of Transportation.

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

1 1. The Legislature hereby finds and declares that the adminis-
2 tration, development and enforcement of laws and regulations
3 relating to traffic, and the regulation and control of the character,
4 type, location, placing and operation of all official traffic control
5 devices on the streets, highways and public places in New Jersey
6 require co-ordination and co-operation between the State and indivi-
7 dual local authorities; that although there should be a general,
8 State-wide policy concerning the movement of traffic and traffic
9 control devices, that policy should be sufficiently flexible to take into
10 account such factors as aesthetics, practicability and community
11 interests, and should permit a consideration of particular circum-
12 stances in individual municipalities; and that it is the purpose of
13 this act to provide for the efficient formulation of such a flexible
14 State-wide policy concerning the movement of traffic and traffic
15 control devices in the public interest.

1 2. All the powers and duties heretofore exercised and performed
2 by the Director of the Division of Motor Vehicles in the State
3 Department of Law and Public Safety pursuant to the provisions
4 of article 2, article 13, article 16, article 17, and article 21 inclusive,
5 of chapter 4 of Title 39 of the Revised Statutes, and section 42 of
6 P. L. 1951, chapter 23 (C. 39:4-85.1), P. L. 1960, chapter 100 (C.
7 39:4-98.1), section 62 of P. L. 1951, chapter 23 (C. 39:4-120.1),
8 section 39:4-124 of the Revised Statutes, sections 1 and 3 of P. L.
9 1948, chapter 342 (C. 39:4-138.1 and 39:4-138.2), P. L. 1941, chapter

10 345 (C. 39:4-183.1 to 39:4-185.2), section 96 of P. L. 1951, chapter
11 23 (C. 39:4-183.22a), section 99 of P. L. 1951, chapter 23 (C.
12 39:4-183.26), sections 100 to 106 of P. L. 1951, chapter 23 (C.
13 39:4-191.1 to 39:4-191.6), sections 107 to 109 of P. L. 1951, chapter
14 23 (C. 39:4-196.1 to 39:4-196.3), section 111 of P. L. 1951, chapter
15 23 (C. 39:4-197.1), P. L. 1957, chapter 69 (C. 39:4-197.2), P. L.
16 1964, chapter 131 (C. 39:4-197.3), section 118 of P. L. 1951, chapter
17 23 (C. 39:4-199.1), and sections 114 and 115 of P. L. 1951, chapter
18 23 (C. 39:4-201.1 and 39:4-201.2), are hereby transferred to and
19 vested in the Commissioner of Transportation of the Department of
20 Transportation.

1 3. All appropriations and other moneys available and to become
2 available to the Division of Motor Vehicles from the functions,
3 powers and duties which have been herein transferred to the
4 Department of Transportation, are hereby transferred to the De-
5 partment of Transportation and shall be available for the objects
6 and purposes for which appropriated, subject to any terms,
7 restrictions, limitations or other requirements imposed by State
8 or Federal law.

1 4. Such employees of the Division of Motor Vehicles the func-
2 tions, powers and duties of whom have been herein transferred
3 to the Department of Transportation, as the Commissioner of
4 Transportation may determine are needed for the proper per-
5 formance of the functions and duties imposed upon the Department
6 of Transportation are hereby transferred to the Department of
7 Transportation to which such functions, powers, and duties have
8 been herein transferred.

1 5. Nothing in this act shall be constructed to deprive any person
2 of any tenure rights or of any right or protection provided him by
3 Title 11 of the Revised Statutes, Civil Service, or under any pension
4 law or retirement system.

1 6. All files, books, papers, records, equipment and other property
2 of the Division of Motor Vehicles in the Department of Law and
2 Public Safety relating to the functions, powers and duties which
3 have been herein transferred to the Department of Transportation,
4 shall upon the effective date of this act be transferred to the De-
5 partment of Transportation.

1 7. This act shall not affect the orders, rules and regulations here-
2 tofore made or promulgated by the Division of Motor Vehicles in
3 the Department of Law and Public Safety relating to the functions,
4 powers and duties which have been herein transferred to the Depart-
5 ment of Transportation; but such orders, rules and regulations shall

6 continue with full force and effect until amended or repealed pur-
7 suant to law.

1 8. This act shall not affect actions or proceedings, civil or crimi-
2 nal, brought by or against the Division of Motor Vehicles in the
3 Department of Law and Public Safety relating to the functions,
4 powers and duties which have been herein transferred to the De-
5 partment of Transportation, and pending on the effective date of
6 this act, but such actions or proceedings may be prosecuted in the
7 same manner and to the same effect by the Department of Trans-
8 portation as if the foregoing provisions had not taken effect; nor
9 shall any of the foregoing provisions affect any order or recom-
10 mendation made by, or other matters or proceedings before, the
11 Division of Motor Vehicles in the Department of Law and Public
12 Safety relating to the functions, powers and duties which have been
13 herein transferred to the Department of Transportation, and all
14 such matters or proceedings pending before such Division of Motor
15 Vehicles in the Department of Law and Public Safety on the effec-
16 tive date of this act shall be continued by the Department of
17 Transportation, as if the foregoing provisions had not taken effect.

1 9. Unless specifically otherwise provided in this act or by any
2 operative law, whenever, pursuant to existing law, reports, certifi-
3 cations, applications or requests are required or permitted to be
4 made to the Division of Motor Vehicles in the Department of Law
5 and Public Safety, relating to those powers and duties which are
6 herein transferred to the Department of Transportation, such
7 reports and certifications shall hereafter be required to be filed with,
8 and such applications or requests shall hereafter be made to, the
9 Department of Transportation to which such transfer has been
10 made hereunder.

1 10. This act shall take effect on July 1, 1969, or 90 days following
2 the enactment hereof whichever is later in time.

STATEMENT

The purpose of the bill is to improve the efficiency and increase the co-ordination of transportation policies of this State by transferring the responsibility for administering, developing and enforcing the laws and regulations relating to traffic, including pedestrian travel on the public streets and highways, and the regulation and control of the character, type, location, placing and operation of all official traffic control devices on the streets, highways and public places in the State, from the Division of Motor Vehicles in the Department of Law and Public Safety to the Department of Transportation.

This act does not in any way curtail the powers of actual enforcement vested by law in the local authorities, and is intended to improve communication between the State and local authorities and increase State and local co-operation and co-ordination in developing policies to promote traffic safety.

SENATE, No. 441

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3 relating to traffic, and the regulation and control of the character,
4 type, location, placing and operation of all official traffic control
5 devices on the streets, highways and public places in New Jersey
6 require co-ordination and co-operation between the State and indivi-
7 dual local authorities; that although there should be a general,
8 State-wide policy concerning the movement of traffic and traffic
9 control devices, that policy should be sufficiently flexible to take into
10 account such factors as aesthetics, practicability and community
11 interests, and should permit a consideration of particular circum-
12 stances in individual municipalities; and that it is the purpose of
13 this act to provide for the efficient formulation of such a flexible
14 State-wide policy concerning the movement of traffic and traffic
15 control devices in the public interest.

1 2. All the powers and duties heretofore exercised and performed
2 by the Director of the Division of Motor Vehicles in the State
3 Department of Law and Public Safety pursuant to the provisions
4 of article 2, article 13, article 16, article 17, and article 21 inclusive,
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19 vested in the Commissioner of Transportation of the Department of
20 Transportation.

1 3. All appropriations and other moneys available and to become
2 available to the Division of Motor Vehicles from the functions,
3 powers and duties which have been herein transferred to the
4 Department of Transportation, are hereby transferred to the De-
5 partment of Transportation and shall be available for the objects
6 and purposes for which appropriated, subject to any terms,
7 restrictions, limitations or other requirements imposed by State
8 or Federal law.

1 4. Such employees of the Division of Motor Vehicles the func-
2 tions, powers and duties of whom have been herein transferred
3 to the Department of Transportation, as the Commissioner of
4 Transportation may determine are needed for the proper per-
5 formance of the functions and duties imposed upon the Department
6 of Transportation are hereby transferred to the Department of
7 Transportation to which such functions, powers, and duties have
8 been herein transferred.

1 5. Nothing in this act shall be constructed to deprive any person
2 of any tenure rights or of any right or protection provided him by
3 Title 11 of the Revised Statutes, Civil Service, or under any pension
4 law or retirement system.

1 6. All files, books, papers, records, equipment and other property
2 of the Division of Motor Vehicles in the Department of Law and
2 Public Safety relating to the functions, powers and duties which
3 have been herein transferred to the Department of Transportation,
4 shall upon the effective date of this act be transferred to the De-
5 partment of Transportation.

1 7. This act shall not affect the orders, rules and regulations here-
2 tofore made or promulgated by the Division of Motor Vehicles in
3 the Department of Law and Public Safety relating to the functions,
4 powers and duties which have been herein transferred to the Depart-
5 ment of Transportation; but such orders, rules and regulations shall

6 continue with full force and effect until amended or repealed pur-
7 suant to law.

1 8. This act shall not affect actions or proceedings, civil or crimi-
2 nal, brought by or against the Division of Motor Vehicles in the
3 Department of Law and Public Safety relating to the functions,
4 powers and duties which have been herein transferred to the De-
5 partment of Transportation, and pending on the effective date of
6 this act, but such actions or proceedings may be prosecuted in the
7 same manner and to the same effect by the Department of Trans-
8 portation as if the foregoing provisions had not taken effect; nor
9 shall any of the foregoing provisions affect any order or recom-
10 mendation made by, or other matters or proceedings before, the
11 Division of Motor Vehicles in the Department of Law and Public
12 Safety relating to the functions, powers and duties which have been
13 herein transferred to the Department of Transportation, and all
14 such matters or proceedings pending before such Division of Motor
15 Vehicles in the Department of Law and Public Safety on the effec-
16 tive date of this act shall be continued by the Department of
17 Transportation, as if the foregoing provisions had not taken effect.

1 9. Unless specifically otherwise provided in this act or by any
2 operative law, whenever, pursuant to existing law, reports, certifi-
3 cations, applications or requests are required or permitted to be
4 made to the Division of Motor Vehicles in the Department of Law
5 and Public Safety, relating to those powers and duties which are
6 herein transferred to the Department of Transportation, such
7 reports and certifications shall hereafter be required to be filed with,
8 and such applications or requests shall hereafter be made to, the
9 Department of Transportation to which such transfer has been
10 made hereunder.

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ASSEMBLY COMMITTEE AMENDMENTS TO
SENATE, No. 441

STATE OF NEW JERSEY

ADOPTED MAY 12, 1969

Amend page 1, section 2, line 4, after "of", and before "article 2", insert as follows: "sections 39:4-2 through 39:4-8 inclusive of".

Amend page 1, section 2, line 6, after "(C. 39:4-85.1)," and before "P. L. 1960, chapter 100", insert as follows: "section 52 of P. L. 1951, chapter 23 (C. 39:4-94.1), section 39:4-98 of the Revised Statutes,".

Amend page 2, section 2, line 10, omit "39:4-185.2", and substitute therefor "39:4-183.25".

Amend page 2, section 2, line 13, omit "39:4-191.6", and substitute therefor "39:4-191.7".

Amend page 3, section 10, line 1, add the following as section 10:

"10. Every law enforcement officer who, in the regular course of duty investigates a motor vehicle accident, required to be reported by this chapter, shall make a written report of the accident for the use of the Commissioner of the Department of Transportation. All police departments in the State shall forward said reports to the Commissioner of the Department of Transportation and shall also furnish the Commissioner of the Department of Transportation with a copy of each written report received by them respectively from any motor vehicle operator involved in any accident required to be reported by any law, rule, regulation, code or ordinance."

Amend page 3, section 10, line 1, renumber section "10" as section "11".