

39:3-84

LEGISLATIVE HISTORY CHECK

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LAWS OF: 1999 **CHAPTER:** 348
NJSA: 39:3-84 (Establishes "Truck law Enforcement Study Commission")
BILL NO: A3540 (Substituted for S2179)

SPONSOR(S): Lance and Weingarten

DATE INTRODUCED: November 15, 1999

COMMITTEE: **ASSEMBLY:** Transportation

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** December 13, 1999

SENATE: January 10, 2000

DATE OF APPROVAL: January 13, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL:](#) 1st Reprint
(Amendments during passage denoted by superscript numbers)

A3540

[SPONSORS STATEMENT:](#) (Begins on page 18 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S2179

[SPONSORS STATEMENT:](#) (Begins on page 18 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#) [12-6-99](#)
Identical to Assembly Transportation Statement for A3540

[Yes](#) [12-13-99](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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Yes

REPORTS:

See 31 NJR 2892 (c)
31 NJR 2256 (a)

No

HEARINGS:

Yes

NEWSPAPER ARTICLES:

"Law puts teeth in truck ban," 1-14-2000, The Times, p. A14.
"Whitman signs truck fine bill," 1-14-2000, Trentonian, p. 12.

P.L. 1999, CHAPTER 348, *approved January 13, 2000*
Assembly, No. 3540 (*First Reprint*)

1 AN ACT concerning commercial motor vehicles, ¹【creating a
2 commission to study and make recommendations concerning the
3 enforcement of the laws relating to trucks】 supplementing chapter
4 3 of Title 39¹ and amending ¹【various parts of the statutory law】
5 R.S.39:3-84 and P.L.1950, c.142¹.

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

9
10 1. (New section) The Legislature finds and declares:

11 a. On July 16, 1999 the Commissioner of Transportation, at the
12 direction of Governor Whitman, adopted emergency regulations
13 designating certain highways in the State where certain large trucks
14 are permitted to operate and other roadways where vehicles such as
15 "102-inch wide standard trucks" and double tandem trailers are not so
16 permitted, which regulations became permanent in September 1999.

17 b. There has been much debate on the question of the enforcement
18 of the regulations of the Commissioner of Transportation from which
19 ¹【two issues have come to the fore: The】 it has become clear that
20 there is a need for the¹ creation of clearly defined penalties for
21 violating the regulations ¹【and the proper role of the police forces of
22 this State in enforcing these regulations】¹.

23 c. It is necessary and appropriate to provide a schedule of fines for
24 violation of the regulations of the commissioner ¹【and to create a
25 study commission on truck law enforcement to deal with the issue of
26 the role of both the local police and State Police in enforcing the
27 State's trucking laws.

28 d. It is appropriate that the commission, in its study of the truck
29 enforcement issue, consider how the local police forces of the State
30 can assist the State Police in the enforcement of the State's trucking
31 laws and implementing regulations】 in order to ensure that the
32 operator of a truck cannot violate those regulations with impunity¹.

33
34 ¹【2. (New section) There is created a commission to be known as
35 the "Truck Law Enforcement Study Commission" to study and make
36 recommendations concerning the enforcement of the State's trucking
37 laws and implementing regulations. The commission shall consist of

EXPLANATION - Matter enclosed in bold-faced brackets 【thus】 in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ATR committee amendments adopted December 2, 1999.

1 11 members as follows:

2 a. Two members of the Senate to be appointed by the President of
3 the Senate, who shall not be of the same political party.

4 b. Two members of the General Assembly to be appointed by the
5 Speaker of the General Assembly, who shall not be of the same
6 political party.

7 c. One member to be appointed by the President of the Senate and
8 one member appointed by the Speaker of the General Assembly, both
9 of whom shall be, or have been, involved in local law enforcement
10 matters and have expertise in highway traffic safety.

11 d. One member appointed by the Governor from among the officers
12 and employees of the Executive Branch who shall serve as chairman
13 of the commission.

14 e. The Attorney General, the Commissioner of Transportation, the
15 Superintendent of the State Police, or their designees, who shall serve
16 ex officio.

17 f. A representative of the New Jersey Motor Truck Association.

18 Members who are legislators appointed by the President of the
19 Senate or the Speaker of the General Assembly shall serve only as long
20 as they hold the legislative seat they held at the time of their
21 appointment.

22 Vacancies in the membership of the commission shall be filled in the
23 same manner as the original appointments were made. Members shall
24 serve without compensation, but the commission may, within the limits
25 of funds appropriated or otherwise made available for these purposes,
26 reimburse its members for expenses necessarily incurred in the
27 discharge of their official duties.】¹

28

29 ¹【3. (New section) The commission shall organize as soon as may
30 be practicable after the appointment of a majority of its membership
31 and shall select a secretary, who need not be a member of the
32 commission.

33 The commission shall meet at the call of the chairman.

34 The commission shall be entitled to call to its assistance and avail
35 itself of the services of the employees of any State department, board,
36 bureau, commission or agency, as it may require and as may be
37 available for its purposes, and to employ stenographic and clerical
38 assistance and incur traveling and other miscellaneous expenses as may
39 be necessary in order to perform its duties, within the limits of funds
40 appropriated or otherwise made available to it for its purposes.】¹

41

42 ¹【4. (New section) It shall be the duty of the commission to study
43 the enforcement of the State's trucking laws and implementing
44 regulations. Of particular concern to this study shall be the
45 appropriate role of the local police in the enforcement of the recently
46 adopted regulations of the commissioner banning "102-inch wide

1 standard trucks" on certain roadways and any other commercial motor
2 vehicle which the commissioner may by law be authorized to ban on
3 roadways outside of the National Network. The commission shall
4 consider the proper cooperative relationship between the State Police
5 and local police in the enforcement of these regulations, with due
6 regard for the uniform enforcement of the State's trucking laws, the
7 free flow of goods and services on the State's highways, the safety of
8 both police and trucks when the latter are stopped on highways for
9 suspected violations, and any other matter relevant to the proper
10 enforcement of the State's trucking laws in a manner which is
11 reasonable and not arbitrary or capricious. The commission may
12 consider the appropriate supervisory role of the State Police in any
13 enforcement efforts, the use of voluntary agreements between the
14 State Police and local police, and the creation of a joint State-local
15 task force or forces to facilitate enforcement. If a greater role for the
16 local police is not deemed appropriate, the commission may give
17 consideration to the matter of the expansion of the resources available
18 to the State Police to properly enforce the State's trucking laws.】¹

19

20 ¹【5. (New section) The commission may meet and hold public
21 hearings at such place or places as it shall designate during the
22 sessions or recesses of the Legislature and shall issue a final report of
23 its findings and recommendations, if any, which shall include draft
24 legislation, if the commission recommends that legislation is necessary,
25 to the Governor, the President of the Senate, the Speaker of the
26 General Assembly, and the members of the Senate Transportation
27 Committee and the Assembly Transportation Committee, or their
28 successor committees, as soon as is practicable, but not later than six
29 months following the organization of the commission. The
30 commission shall dissolve six months following the organization of the
31 commission.】¹

32

33 ¹【6.】2.¹ R.S.39:3-84 is amended to read as follows:

34 39:3-84. a. The following constitute the maximum dimensional
35 limits for width, height and length for any vehicle or combination of
36 vehicles, including load or contents or any part or portion thereof,
37 found or operated on any public road, street or highway or any public
38 or quasi-public property in this State. Violations shall be enforced
39 pursuant to subsection i. of section 5 of P.L.1950, c.142
40 (C.39:3-84.3).

41 The dimensional limitations set forth in this subsection are exclusive
42 of safety and energy conservation devices necessary for safe and
43 efficient operation of a vehicle or combination of vehicles, including
44 load or contents, except that no device excluded herein shall have by
45 its design or use the capability to carry, transport or otherwise be
46 utilized for cargo.

1 Any rules and regulations authorized to be promulgated pursuant
2 to this subsection shall be consistent with any rules and regulations
3 promulgated by the Secretary of Transportation of the United States
4 of America, and shall be in accordance with the provisions of the
5 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
6 seq.). In addition to the other requirements of this subsection and
7 notwithstanding any other provision of this Title, no vehicle or
8 combination of vehicles, including load or contents or any part or
9 portion thereof, except as otherwise provided by this subsection shall
10 be operated in this State, unless by special permit authorized by
11 subsection d. of this section with a dimension, the allowance of which
12 would disqualify the State of New Jersey or any department, agency
13 or governmental subdivision thereof for the purpose of receiving
14 federal highway funds.

15 As used herein and pursuant to R.S.39:1-1, the term "vehicle"
16 includes, but is not limited to, commercial motor vehicles, trucks,
17 truck tractors, tractors, road tractors, recreation vehicles, or
18 omnibuses. As used herein and pursuant to R.S.39:1-1, the term
19 "combination of vehicles" includes, but is not limited to, vehicles as
20 heretofore designated, when those vehicles are the drawing or power
21 unit of a combination of vehicles and motor-drawn vehicles, such as,
22 but not limited to, trailers, semi-trailers, or other vehicles. As used
23 herein, the term "recycling vehicle" means a commercial motor vehicle
24 used for the collection or transportation of recyclable material; or any
25 truck, trailer or other vehicle approved by the New Jersey Office of
26 Recycling for use by persons engaging in the business of recycling or
27 otherwise providing recycling services in this State; and "recyclable
28 material" means those materials which would otherwise become solid
29 waste, and which may be collected, separated or processed and
30 returned to the economic mainstream in the form of raw materials or
31 products.

32 (1) The maximum outside width of any vehicle or combination of
33 vehicles, including load or contents of any part or portion thereof,
34 except as otherwise provided by this subsection, shall be no more than
35 102 inches; except that the Commissioner of Transportation, after
36 consultation with the Director of the Division of Motor Vehicles and
37 the Superintendent of State Police, may promulgate rules and
38 regulations for those public roads, streets or highways or public or
39 quasi-public property in this State, where it is determined that the
40 interests of public safety and welfare require the maximum outside
41 width be no more than 96 inches.

42 (2) The maximum height of any vehicle or combination of vehicles,
43 including load or contents of any part or portion thereof, except as
44 otherwise provided by this subsection, shall not exceed 13 feet, 6
45 inches.

46 (3) The maximum overall length of any vehicle, as set forth in this

1 subsection, including load or contents or any part or portion thereof,
2 except as otherwise provided by this subsection, shall not exceed 40
3 feet, except that the overall length of a vehicle, including load or
4 contents or any part or portion thereof, otherwise subject to the
5 provisions of this paragraph shall not exceed 50 feet when transporting
6 poles, pilings, structural units or other articles which cannot be
7 dismembered, dismantled or divided. When a vehicle, subject to this
8 paragraph, is the drawing or power unit of a combination of vehicles,
9 as set forth in this subsection, the overall length of the combination of
10 vehicles, including load or contents or any part or portion thereof,
11 shall not exceed 62 feet. The provisions of this paragraph shall not
12 apply to omnibuses or to vehicles which are not designed, built or
13 otherwise capable of carrying cargo or loads.

14 (4) The maximum overall length of a motor-drawn vehicle, as set
15 forth in this subsection, including load or contents or any part or
16 portion thereof, except as otherwise provided by this subsection, shall
17 not exceed 53 feet when operated as part of a combination of vehicles
18 consisting of one motor-drawn vehicle and a drawing or power unit
19 vehicle not designed, built or otherwise capable of carrying cargo or
20 loads, except that a motor-drawn vehicle, the overall length of which
21 is greater than 48 feet and not more than 53 feet, shall be constructed
22 so that the distance between the kingpin of the motor-drawn vehicle
23 and the centerline of its rear axle or rear axle group does not exceed
24 41 feet; the motor-drawn vehicle shall be equipped with a rear-end
25 protection device of substantial construction consisting of a
26 continuous lateral beam extending to within four inches of the lateral
27 extremities of the motor-drawn vehicle and located not more than 22
28 inches from the surface as measured with the vehicle empty and on a
29 level surface; the kingpin of the trailer shall not be set back further
30 than 3.5 feet from the front of the semitrailer; the rear overhang,
31 measured from the center of the rear tandem axles to the rear of the
32 semitrailer shall not exceed 35% of the semitrailer's wheelbase; the
33 width of the semitrailer and the distance between the outside edges of
34 the trailer tires shall be 102 inches; and the vehicle shall be equipped
35 with such reflectorization, including but not limited to side-marker
36 reflectorization strips located between the rear axle and the rear of the
37 motor-drawn vehicle, as shall be prescribed by the Division of Motor
38 Vehicles, and as is consistent with any applicable federal standards
39 concerning reflectorization. The overall length of a motor-drawn
40 vehicle otherwise subject to the provisions of this paragraph shall not
41 exceed 63 feet when transporting poles, pilings, structural units or
42 other articles that cannot be dismembered, dismantled or divided. The
43 provisions of this paragraph shall not apply to any vehicle or
44 combination of vehicles designed, built and utilized solely to transport
45 other motor vehicles. The Commissioner of Transportation, after
46 consultation with the Director of the Division of Motor Vehicles and

1 the Superintendent of State Police, shall promulgate rules and
2 regulations specifying those portions or parts of the National System
3 of Interstate and Defense Highways, Federal-aid Primary System
4 Highways and public roads, streets, highways, toll roads, freeways or
5 parkways in this State where the combination of vehicles as described
6 in this paragraph may lawfully operate. The commissioner shall
7 promulgate rules and regulations within 120 days after the effective
8 date of this amendatory act to identify a network of roads with
9 reasonable access for motor-drawn vehicles greater than 48 feet in
10 length but not more than 53 feet in length. The commissioner shall, in
11 establishing this network, consider all portions of the network for 48
12 foot long and 102 inch wide motor-drawn vehicles and specify those
13 routes or portions thereof where motor-drawn vehicles greater than 48
14 feet in length but not more than 53 feet in length shall be excluded
15 from lawful operation for reasons of safety.

16 (5) No combination of vehicles, including load or contents,
17 consisting of more than two motor-drawn vehicles, as set forth in this
18 subsection, and any other vehicle, shall be found or operated on any
19 public road, street or highway or any public or quasi-public property
20 in this State.

21 (6) The maximum overall length of a motor-drawn vehicle, as set
22 forth in this section, including load or contents or any part or portion
23 thereof, except as otherwise provided by this subsection, when
24 operated as part of a combination of vehicles consisting of two
25 motor-drawn vehicles and a drawing or power unit vehicle which is
26 not designed, built or otherwise capable of carrying cargo or loads,
27 shall not exceed 28 feet for each motor-drawn vehicle in the
28 combination of vehicles. The provision of this paragraph shall not
29 apply to any vehicle or combination of vehicles designed, built and
30 utilized solely to transport other motor vehicles. The Commissioner of
31 Transportation, after consultation with the Director of the Division of
32 Motor Vehicles and the Superintendent of State Police, shall
33 promulgate rules and regulations specifying those portions or parts of
34 the National System of Interstate and Defense Highways, Federal-aid
35 Primary System Highways and public roads, streets, highways, toll
36 roads, freeways or parkways in this State where combinations of
37 vehicles as described in this paragraph may lawfully operate.

38 (7) The maximum length and outside width of an omnibus found
39 or operated in this State shall be established by rules and regulations
40 promulgated by the Commissioner of Transportation, after
41 consultation with the Director of the Division of Motor Vehicles and
42 the Superintendent of State Police. Unless otherwise specified in the
43 aforesaid rules and regulations, the maximum outside width shall be
44 102 inches; any other dimension established for width in the aforesaid
45 rules and regulations shall be based upon a determination that
46 operation of an omnibus with a width of less than 102 inches, but no

1 less than 96 inches is required in the interest of public safety on those
2 public roads, streets, highways, toll roads, freeways, parkways or the
3 National System of Interstate and Defense Highways in this State
4 specified in the aforesaid rules and regulations, or that operation of an
5 omnibus with a width greater than 102 inches is not unsafe on those
6 public roads, streets, highways, toll roads, freeways, parkways or the
7 National System of Interstate and Defense Highways in this State
8 specified in the aforesaid rules and regulations.

9 (8) The maximum width and length of farm tractors and traction
10 equipment and farm machinery and implements shall be established by
11 rules and regulations promulgated by the Director of the Division of
12 Motor Vehicles. The operation of the aforesaid vehicles shall be
13 subject to the provisions of R.S.39:3-24 and they shall not be operated
14 on any highway which is part of the National System of Interstate and
15 Defense Highways or on any highway which has been designated a
16 freeway or parkway as provided by law.

17 (9) The maximum outside width of the cargo or load of a vehicle
18 or combination of vehicles, including farm trucks, loaded with hay or
19 straw shall not exceed 105 1/2 inches, but the maximum outside width
20 of the vehicle or combination of vehicles, including farm trucks, shall
21 otherwise comply with the provisions of paragraph (1) of this
22 subsection. The Commissioner of Transportation, after consultation
23 with the Director of the Division of Motor Vehicles and the
24 Superintendent of State Police, may promulgate rules and regulations
25 establishing a maximum outside width of 102 inches for the aforesaid
26 cargo or load when operating on those highways where a greater
27 width is prohibited by operation of law.

28 (10) Notwithstanding the provisions of paragraphs (4) and (6) of
29 this subsection pertaining to length, the Director of the Division of
30 Motor Vehicles may adopt rules and regulations specifying maximum
31 length dimensions for any vehicle or combination of vehicles designed,
32 built and utilized solely to transport other motor vehicles.

33 (11) The provisions of this subsection pertaining to length shall not
34 apply to a vehicle or combination of vehicles or special mobile
35 equipment operated by a public utility, as defined in R.S.48:2-13,
36 when that vehicle or combination of vehicles or special mobile
37 equipment is used by the public utility in the construction,
38 reconstruction, repair or maintenance of its property or facilities.

39 (12) The provisions of this subsection pertaining to width shall not
40 apply to a recycling vehicle when that vehicle is used for the collection
41 of recyclable material on a street or highway other than a highway
42 which is designated part of the National System of Interstate and
43 Defense Highways in this State or as a freeway or parkway as
44 provided by law. The maximum outside width of any recycling vehicle
45 so used, including load or contents of any part or portion thereof, shall
46 be no more than 96 inches, except that the width may be up to 105

1 inches whenever that vehicle is operating at 15 miles per hour or less,
2 and access steps are deployed and recyclable materials are actually
3 being collected.

4 b. No vehicle or combination of vehicles, including load or
5 contents, found or operated on any public road, street or highway or
6 any public or quasi-public property in this State shall exceed the
7 weight limitations set forth in this Title. Violations shall be enforced
8 pursuant to subsection j. of section 5 of P.L.1950, c.142
9 (C.39:3-84.3).

10 Where enforcement of a weight limit provision of this Title requires
11 a measurement of length between axle centers, the distance between
12 axle centers shall be measured to the nearest whole foot or whole inch,
13 whichever is applicable, and when the measurement includes a
14 fractional part of a foot equaling six inches or more or a fractional part
15 of an inch equaling one-half inch or more, the next larger whole foot
16 or whole inch, whichever is applicable, shall be utilized. The term
17 "tandem axle" as used in this act is defined as a combination of
18 consecutive axles, consisting of only two axles, where the distance
19 between axle centers is 40 inches or more but no more than 96 inches.

20 In addition to the other requirements of this section and
21 notwithstanding any other provision of this Title, no vehicle or
22 combination of vehicles, including load or contents, shall be operated
23 in this State, unless by special permit authorized by this Title, with a
24 gross weight, single or multiple axle weight, or gross weight of two or
25 more consecutive axles, the allowance of which would disqualify the
26 State of New Jersey or any department, agency or governmental
27 subdivision thereof for the purpose of receiving federal highway funds.

28 (1) The gross weight imposed on the highway or other surface by
29 the wheels of any one axle of a vehicle or combination of vehicles,
30 including load or contents, shall not exceed 22,400 pounds.

31 For the purpose of this Title the combined gross weight imposed on
32 the highway or other surface by all the wheels of any one axle of a
33 vehicle or combination of vehicles, including load or contents, shall be
34 deemed to mean the total gross weight of all wheels whose axle
35 centers are spaced less than 40 inches apart.

36 (2) The gross weight imposed on the highway or other surface by
37 all the wheels of all consecutive axles of a vehicle or combination of
38 vehicles, including load or contents, shall not exceed 34,000 pounds
39 where the distance between consecutive axle centers is 40 inches or
40 more, but no more than 96 inches apart.

41 (3) The combined gross weight imposed on the highway or other
42 surface by all the wheels of consecutive axles of a vehicle or
43 combination of vehicles, including load or contents, shall not exceed
44 22,400 pounds for each single axle where the distance between
45 consecutive axle centers is more than 96 inches; except that on any
46 highway in this State which is part of, or designated as part of, the

1 National Interstate System, as provided at 23 U.S.C.s.103(e), this
 2 single axle limitation shall not apply and in those instances the
 3 provisions of this Title as set forth at R.S.39:3-84b.(5) shall apply.

4 (4) The maximum total gross weight imposed on the highway or
 5 other surface by a vehicle or combination of vehicles, including load
 6 or contents, shall not exceed 80,000 pounds.

7 (5) On any highway in this State which is part of, or designated as
 8 part of, the National Interstate System, as provided at 23
 9 U.S.C.s.103(e), the total gross weight, in pounds, imposed on the
 10 highway or other surface by any group of two or more consecutive
 11 axles of a vehicle or combination of vehicles, including load or
 12 contents, shall not exceed that listed in the following Table of
 13 Maximum Gross Weights, for the respective distance, in feet, between
 14 the axle centers of the first and last axles of the group of two or more
 15 consecutive axles under consideration; except that in addition to the
 16 weights specified in that Table, two consecutive sets of tandem axles
 17 may carry a gross weight of 34,000 pounds each if the overall distance
 18 between the first and last axles of the consecutive sets of tandem axles
 19 is 36 feet or more. The gross weight of each set of tandem axles shall
 20 not exceed 34,000 pounds and the combined gross weight of the two
 21 consecutive sets of tandem axles shall not exceed 68,000 pounds.

22 In all cases the combined gross weight for a vehicle or combination
 23 of vehicles, including load or contents, or the maximum gross weight
 24 for any axle or combination of axles of the vehicle or combination of
 25 vehicles, including load or contents, shall not exceed that which is
 26 permitted pursuant to this paragraph or R.S.39:3-84b.(2);
 27 R.S.39:3-84b.(3); or R.S.39:3-84b.(4) of this act, whichever is the
 28 lesser allowable gross weight.

29

30 **TABLE OF MAXIMUM GROSS WEIGHTS**

31

32 Distance in feet

33

34 between axle

35

36 centers of first

37

38 and last axles

39

40 of any group

41

42 of two or more

43

44 consecutive axles

45

46 2 3 4 5 6 7

47 axles axles axles axles axles axles

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10

1	3	22400	22400	22400	22400	22400	22400
2							
3	4	34000	34000	34000	34000	34000	34000
4							
5	5	34000	34000	34000	34000	34000	34000
6							
7	6	34000	34000	34000	34000	34000	34000
8							
9	7	34000	34000	34000	34000	34000	34000
10							
11	8	34000	34000	34000	34000	34000	34000
12							
13	9	39000	42500	42500	42500	42500	42500
14							
15	10	40000	43500	43500	43500	43500	43500
16							
17	11	41000	44000	44000	44000	44000	44000
18							
19	12	42000	45000	50000	50000	50000	50000
20							
21	13	43000	45500	50500	50500	50500	50500
22							
23	14	44000	46500	51500	51500	51500	51500
24							
25	15	44800	47000	52000	52000	52000	52000
26							
27	16	44800	48000	52500	58000	58000	58000
28							
29	17	44800	48500	53500	58500	58500	58500
30							
31	18	44800	49500	54000	59000	59000	59000
32							
33	19	44800	50000	54500	60000	60000	60000
34							
35	20	44800	51000	55500	60500	66000	66000
36							
37	21	44800	51500	56000	61000	66500	66500
38							
39	22	44800	52500	56500	61500	67000	67000
40							
41	23	44800	53000	57500	62500	68000	68000
42							
43	24	44800	54000	58000	63000	68500	74000
44							
45	25	44800	54500	58500	63500	69000	74500
46							
47	26	44800	55500	59500	64000	69500	75000

A3540 [1R]

11

1	27	44800	56000	60000	65000	70000	75500
2							
3	28	44800	57000	60500	65500	71000	76500
4							
5	29	44800	57500	61500	66000	71500	77000
6							
7	30	44800	58500	62000	66500	72000	77500
8							
9	31	44800	59000	62500	67500	72500	78000
10							
11	32	44800	60000	63500	68000	73000	78500
12							
13	33	44800	60500	64000	68500	74000	79000
14							
15	34	44800	61500	64500	69000	74500	80000
16							
17	35	44800	62000	65500	70000	75000	80000
18							
19	36	44800	63000	66000	70500	75500	80000
20							
21	37	44800	63500	66500	71000	76000	80000
22							
23	38	44800	64500	67500	71500	77000	80000
24							
25	39	44800	65000	68000	72500	77500	80000
26							
27	40	44800	66000	68500	73000	78000	80000
28							
29	41	44800	66500	69500	73500	78500	80000
30							
31	42	44800	67200	70000	74000	79000	80000
32							
33	43	44800	67200	70500	75000	80000	80000
34							
35	44	44800	67200	71500	75500	80000	80000
36							
37	45	44800	67200	72000	76000	80000	80000
38							
39	46	44800	67200	72500	76500	80000	80000
40							
41	47	44800	67200	73500	77500	80000	80000
42							
43	48	44800	67200	74000	78000	80000	80000
44							
45	49	44800	67200	74500	78500	80000	80000
46							
47	50	44800	67200	75500	79000	80000	80000

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41 c. The dimensional and weight restrictions set forth herein shall not
42 apply to a combination of vehicles which includes a disabled vehicle or
43 a combination of vehicles being removed from a highway in this State,
44 provided that such oversize or overweight vehicle combination may
45 not travel on the public highways more than five miles from the point
46 where such disablement occurred. If the disablement occurred on a
47 limited access highway, the distance to the nearest exit of such

1 highway shall be added to the five-mile limitation.

2 d. The Director of the Division of Motor Vehicles may promulgate
3 rules and regulations, including the establishment of fees, for the
4 issuance, at his discretion and if good cause appears, of a special
5 written permit authorizing the applicant:

6 (1) To operate or move a vehicle or combination of vehicles or
7 special mobile equipment, transporting one piece loads that cannot be
8 dismembered, dismantled or divided in order to comply with the
9 weight limitations set forth in this act. The special written permit
10 issued by the director shall be in the possession of the driver or
11 operator of the vehicle or combination of vehicles or special mobile
12 equipment for which said permit was issued; and

13 (2) To operate or move a vehicle or combination of vehicles or
14 specialized mobile equipment, transporting a load or cargo that cannot
15 be dismembered, dismantled or divided in order to comply with the
16 dimensional limitations set forth in this act. The special written permit
17 shall be in the possession of the driver or operator of the vehicle or
18 combination of vehicles or special mobile equipment for which the
19 permit was issued; and

20 (3) Under emergency conditions, to operate or move a type of
21 vehicle or combination of vehicles or special mobile equipment of a
22 size or weight, including load or contents, which exceeds the
23 maximum size or weight limitations specified in this act.

24 e. If the Commissioner of Transportation has, by regulations
25 adopted pursuant to the "Administrative Procedure Act," P.L.1968,
26 c.410 (C.52:14B-1 et seq.), designated certain routes within the State
27 for use by a combination of vehicles with a prescribed maximum width
28 or length or consisting of a drawing vehicle and two motor drawn
29 vehicles with a prescribed maximum length, no such combination of
30 vehicles shall be found or operated on any other public road, street or
31 highway or any other public or quasi-public property in this State,
32 unless otherwise permitted by such regulations.

33 (cf: P.L.1999, c.29, s.1)

34

35 ¹**[7.] 3.**¹ Section 5 of P.L.1950, c.142 (C.39:3-84.3) is amended
36 to read as follows:

37 5. a. Officers shall have authority as set forth in paragraphs (1)
38 through (3) of this subsection to require the driver, operator, owner,
39 lessee or bailee of any vehicle or combination of vehicles found on any
40 public road, street, or highway or any public or quasi-public property
41 in this State to facilitate and permit the measurement or weighing of
42 the vehicle or combination of vehicles, including load or contents, for
43 the purpose of determining whether the size or weight of the vehicle
44 or combination of vehicles, including load or contents, is in excess of
45 that permitted in this Title:

46 (1) Officers of the Division of State Police shall have the exclusive
47 authority to conduct random roadside examinations for the purpose of

1 determining whether size or weight is in excess of that permitted in
2 this Title, and officers of the Division of State Police shall have the
3 authority, with or without probable cause to believe that the size or
4 weight is in excess of that permitted, to require the driver, operator,
5 owner, lessee or bailee, to stop, drive or otherwise move to a location
6 for measurement or weighing and submit the vehicle or combination
7 of vehicles, including load or contents, to measurement or weighing;

8 (2) Police or peace officers or inspectors appointed by any
9 municipality or county shall have the authority to require the driver,
10 operator, owner, lessee or bailee to stop, drive or otherwise move to
11 a location for measurement or weighing and submit the vehicle or
12 combination of vehicles, including load or contents, to measurement
13 or weighing, only if the officer has probable cause to believe that the
14 size or weight of the vehicle or combination of vehicles, including load
15 or contents, is in excess of that permitted by this Title; and

16 (3) The Division of State Police and the director shall have the
17 exclusive authority to establish and operate locations for the
18 measurement and weighing of vehicles, including load and contents,
19 and all measuring and weighing devices or scales employed at such
20 locations shall be approved and certified by the State Superintendent
21 of Weights and Measures or the State Superintendent's agent. Copies
22 of documents displaying the State Superintendent's seal or certification
23 shall be prima facie evidence of the reliability and accuracy of the
24 measuring or weighing devices or scales utilized.

25 b. Whenever the officer, upon measuring or weighing a vehicle or
26 combination of vehicles, including load or contents, determines that
27 the size or weight is in excess of the limits permitted in this Title, the
28 officer or inspector shall require the driver, operator, owner, lessee or
29 bailee to stop the vehicle or combination of vehicles in a suitable place
30 and remain in that place until a portion of the load or contents of the
31 vehicle or combination of vehicles is removed by the driver, operator,
32 owner, lessee, bailee or duly appointed agent thereof, as may be
33 necessary to conform or reduce the size or weight of the vehicle or
34 combination of vehicles, including load or contents, to those limits as
35 permitted under this act, or permitted by the certificate of registration
36 for the vehicle or combination of vehicles, whichever may be lower.
37 All materials so unloaded or removed shall be cared for by the driver,
38 owner, operator, lessee or bailee of the vehicle or combination of
39 vehicles, or duly appointed agent thereof, at the risk, responsibility and
40 liability of the driver, owner, operator, lessee, bailee or duly appointed
41 agent thereof.

42 c. No vehicle or combination of vehicles shall be deemed to be in
43 violation of the weight limitation provision of this act, when, upon
44 examination by the officer, the dispatch papers for the vehicle or
45 combination of vehicles, including load or contents, show it is
46 proceeding from its last preceding freight pickup point within the State
47 of New Jersey by a reasonably expeditious route to the nearest

1 available scales or to the first available scales in the general direction
2 towards which the vehicle or combination of vehicles has been
3 dispatched, or is returning from such scales after weighing-in to the
4 last preceding pickup point.

5 d. When the officer determines that a vehicle or combination of
6 vehicles, including load or contents, is in violation of the weight
7 limitations of this Title as provided at paragraph (1) of subsection b.
8 of R.S.39:3-84; paragraph (2) of subsection b. of R.S.39:3-84;
9 paragraph (3) of subsection b. of R.S.39:3-84; or paragraph (5) of
10 subsection b. of R.S.39:3-84 relative to maximum gross axle weights,
11 but is within the permissible maximum gross vehicle weight of this
12 Title as provided at paragraph (4) of subsection b. of R.S.39:3-84 or
13 paragraph (5) of subsection b. of R.S.39:3-84, whichever is applicable,
14 the driver, operator, owner, lessee, bailee or duly appointed agent
15 thereof shall be permitted, before proceeding, to redistribute the
16 weight of the vehicle or combination of vehicles or the load or
17 contents of the vehicle or combination of vehicles so that no axle or
18 combination of consecutive axles are in excess of the limits set by this
19 act, in which event there is no violation.

20 e. When the officer determines that a vehicle or combination of
21 vehicles, including load or contents, is in violation of the height, width
22 or length limits of this Title as provided at subsection a. of
23 R.S.39:3-84, the driver, operator, owner, lessee or bailee of the
24 vehicle or combination of vehicles or duly appointed agent thereof
25 shall be permitted, before proceeding, to adjust, reduce or conform the
26 vehicle or combination of vehicles, including load or contents, so that
27 the vehicle or combination of vehicles, including load or contents, are
28 not in excess of the height, width, or length limits set by this act, in
29 which event there is no violation.

30 f. The provisions of this subsection shall not apply to a vehicle or
31 combination of vehicles, including load or contents, found or operated
32 on any highway in this State which is part of or designated as part of
33 the National Interstate System, as provided at 23 U.S.C. s. 103(e). No
34 arrest shall be made or summons issued for a violation of the weight
35 limitations provided in this act at subsection b. of R.S.39:3-84 where
36 the excess weight is no more than 5% of the weight permitted,
37 provided the gross weight of the vehicle or combination of vehicles,
38 including load or contents, does not exceed the maximum gross weight
39 of 80,000 pounds as set forth at paragraph (4) of subsection b. of
40 R.S.39:3-84.

41 g. Any person who presents to the officer, or has in his possession,
42 or who prepares false dispatch papers, that is to say, dispatch papers
43 which do not correspond to the cargo carried, shall be subject to a fine
44 not to exceed ~~【\$100.00】~~ \$300.

45 h. Any driver of a vehicle or combination of vehicles who fails or
46 refuses to stop and submit the vehicle or combination of vehicles,
47 including load or contents, to measurement or weighing, as provided

1 in this Title, or otherwise fails to comply with the provisions of this
2 section, shall be subject to a fine not exceeding \$200.00.

3 i. The owner, lessee, bailee or any one of the aforesaid of any
4 vehicle or combination of vehicles found or operated on any public
5 road, street or highway or on any public or quasi-public property in
6 this State in violation of the height, width or length limits as set forth
7 in subsection a. of R.S.39:3-84 shall be fined not less than \$150.00
8 nor more than \$500.00.

9 j. The owner, lessee, bailee or any one of the aforesaid of any
10 vehicle or combination of vehicles found or operated on any public
11 road, street or highway or on any public or quasi-public property in
12 this State, with a gross weight of the vehicle or combination of
13 vehicles, including load or contents, in excess of the weight limitations
14 as provided at subsection b. of R.S.39:3-84 or section 3 of P.L.1950,
15 c.142 (C.39:3-84.1) shall be fined an amount equal to \$0.02 per pound
16 for each pound of the total excess weight; provided the total excess
17 weight is 10,000 pounds or less, or shall be fined an amount equal to
18 \$0.03 per pound for each pound of the total excess weight; provided
19 the total excess weight is more than 10,000 pounds, but in no event
20 shall the fine be less than \$50.00. However, in the case of any vehicle
21 or combination of vehicles carrying a sealed ocean container, either the
22 shipper, the consignee or both, shall be liable for a violation of the
23 weight limitations as provided at subsection b. of R.S.39:3-84 relative
24 to maximum gross axle weights.

25 k. Whenever a vehicle or combination of vehicles, including load
26 or contents, is found to be in violation of any two or more of the
27 weight limitations as provided at subsection b. of R.S.39:3-84 or
28 section 3 of P.L.1950, c.142 (C.39:3-84.1), the fine levied shall be
29 only for the violation involving the greater or greatest excess weight.

30 l. The driver, owner, lessee, ¹[or] ¹bailee or any one of the
31 foregoing of any combination of vehicles found or operated on any
32 public road, street or highway or on any public or quasi-public
33 property in the State in violation of the regulations of the
34 Commissioner of Transportation regarding designated routes for such
35 combinations as provided in subsection e. of R.S. 39:3-84 shall be
36 fined ¹not more than¹ \$400 for the first offense, ¹and shall be subject
37 to a fine of¹ \$700 for the second offense and ¹a fine of¹ \$1,000 for
38 each subsequent offense. The officer may direct that a combination of
39 vehicles so found or operated proceed by the most direct route to a
40 permitted route or return to a permitted route by making use of the
41 route already traversed.

42 (cf: P.L.1994, c.60, s.33)

43

44 ¹[8.] ¹4. ¹This act shall take effect immediately ¹[and sections 1
45 through 5 shall expire six months following the organization of the
46 "Truck Law Enforcement Study Commission."] ¹

1

2

3 Provides for penalties for trucks operating on routes not permitted by
4 regulation.

ASSEMBLY, No. 3540

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED NOVEMBER 15, 1999

Sponsored by:

Assemblyman LEONARD LANCE
District 23 (Warren, Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Weingarten

SYNOPSIS

Establishes "Truck Law Enforcement Study Commission" and provides for penalties for trucks operating on routes where not permitted by regulation.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/3/1999)

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2

1 AN ACT concerning commercial motor vehicles, creating a commission
2 to study and make recommendations concerning the enforcement of
3 the laws relating to trucks and amending various parts of the
4 statutory law.

5

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

8

9 1. (New section) The Legislature finds and declares:

10 a. On July 16, 1999 the Commissioner of Transportation, at the
11 direction of Governor Whitman, adopted emergency regulations
12 designating certain highways in the State where certain large trucks
13 are permitted to operate and other roadways where vehicles such as
14 "102-inch wide standard trucks" and double tandem trailers are not so
15 permitted, which regulations became permanent in September 1999.

16 b. There has been much debate on the question of the enforcement
17 of the regulations of the Commissioner of Transportation from which
18 two issues have come to the fore: The creation of clearly defined
19 penalties for violating the regulations and the proper role of the police
20 forces of this State in enforcing these regulations.

21 c. It is necessary and appropriate to provide a schedule of fines for
22 violation of the regulations of the commissioner and to create a study
23 commission on truck law enforcement to deal with the issue of the role
24 of both the local police and State Police in enforcing the State's
25 trucking laws.

26 d. It is appropriate that the commission, in its study of the truck
27 enforcement issue, consider how the local police forces of the State
28 can assist the State Police in the enforcement of the State's trucking
29 laws and implementing regulations.

30

31 2. (New section) There is created a commission to be known as
32 the "Truck Law Enforcement Study Commission" to study and make
33 recommendations concerning the enforcement of the State's trucking
34 laws and implementing regulations. The commission shall consist of
35 11 members as follows:

36 a. Two members of the Senate to be appointed by the President of
37 the Senate, who shall not be of the same political party.

38 b. Two members of the General Assembly to be appointed by the
39 Speaker of the General Assembly, who shall not be of the same
40 political party.

41 c. One member to be appointed by the President of the Senate and
42 one member appointed by the Speaker of the General Assembly, both
43 of whom shall be, or have been, involved in local law enforcement

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

Matter underlined thus is new matter.

1 matters and have expertise in highway traffic safety.

2 d. One member appointed by the Governor from among the officers
3 and employees of the Executive Branch who shall serve as chairman
4 of the commission.

5 e. The Attorney General, the Commissioner of Transportation, the
6 Superintendent of the State Police, or their designees, who shall serve
7 ex officio.

8 f. A representative of the New Jersey Motor Truck Association.

9 Members who are legislators appointed by the President of the
10 Senate or the Speaker of the General Assembly shall serve only as long
11 as they hold the legislative seat they held at the time of their
12 appointment.

13 Vacancies in the membership of the commission shall be filled in the
14 same manner as the original appointments were made. Members shall
15 serve without compensation, but the commission may, within the limits
16 of funds appropriated or otherwise made available for these purposes,
17 reimburse its members for expenses necessarily incurred in the
18 discharge of their official duties.

19

20 3. (New section) The commission shall organize as soon as may be
21 practicable after the appointment of a majority of its membership and
22 shall select a secretary, who need not be a member of the commission.

23 The commission shall meet at the call of the chairman.

24 The commission shall be entitled to call to its assistance and avail
25 itself of the services of the employees of any State department, board,
26 bureau, commission or agency, as it may require and as may be
27 available for its purposes, and to employ stenographic and clerical
28 assistance and incur traveling and other miscellaneous expenses as may
29 be necessary in order to perform its duties, within the limits of funds
30 appropriated or otherwise made available to it for its purposes.

31

32 4. (New section) It shall be the duty of the commission to study
33 the enforcement of the State's trucking laws and implementing
34 regulations. Of particular concern to this study shall be the
35 appropriate role of the local police in the enforcement of the recently
36 adopted regulations of the commissioner banning "102-inch wide
37 standard trucks" on certain roadways and any other commercial motor
38 vehicle which the commissioner may by law be authorized to ban on
39 roadways outside of the National Network. The commission shall
40 consider the proper cooperative relationship between the State Police
41 and local police in the enforcement of these regulations, with due
42 regard for the uniform enforcement of the State's trucking laws, the
43 free flow of goods and services on the State's highways, the safety of
44 both police and trucks when the latter are stopped on highways for
45 suspected violations, and any other matter relevant to the proper
46 enforcement of the State's trucking laws in a manner which is

1 reasonable and not arbitrary or capricious. The commission may
2 consider the appropriate supervisory role of the State Police in any
3 enforcement efforts, the use of voluntary agreements between the
4 State Police and local police, and the creation of a joint State-local
5 task force or forces to facilitate enforcement. If a greater role for the
6 local police is not deemed appropriate, the commission may give
7 consideration to the matter of the expansion of the resources available
8 to the State Police to properly enforce the State's trucking laws.

9
10 5. (New section) The commission may meet and hold public
11 hearings at such place or places as it shall designate during the
12 sessions or recesses of the Legislature and shall issue a final report of
13 its findings and recommendations, if any, which shall include draft
14 legislation, if the commission recommends that legislation is necessary,
15 to the Governor, the President of the Senate, the Speaker of the
16 General Assembly, and the members of the Senate Transportation
17 Committee and the Assembly Transportation Committee, or their
18 successor committees, as soon as is practicable, but not later than six
19 months following the organization of the commission. The
20 commission shall dissolve six months following the organization of the
21 commission.

22
23 6. R.S. 39:3-84 is amended to read as follows:

24 39:3-84. a. The following constitute the maximum dimensional
25 limits for width, height and length for any vehicle or combination of
26 vehicles, including load or contents or any part or portion thereof,
27 found or operated on any public road, street or highway or any public
28 or quasi-public property in this State. Violations shall be enforced
29 pursuant to subsection i. of section 5 of P.L.1950, c.142
30 (C.39:3-84.3).

31 The dimensional limitations set forth in this subsection are exclusive
32 of safety and energy conservation devices necessary for safe and
33 efficient operation of a vehicle or combination of vehicles, including
34 load or contents, except that no device excluded herein shall have by
35 its design or use the capability to carry, transport or otherwise be
36 utilized for cargo.

37 Any rules and regulations authorized to be promulgated pursuant
38 to this subsection shall be consistent with any rules and regulations
39 promulgated by the Secretary of Transportation of the United States
40 of America, and shall be in accordance with the provisions of the
41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
42 seq.). In addition to the other requirements of this subsection and
43 notwithstanding any other provision of this Title, no vehicle or
44 combination of vehicles, including load or contents or any part or
45 portion thereof, except as otherwise provided by this subsection shall
46 be operated in this State, unless by special permit authorized by

1 subsection d. of this section with a dimension, the allowance of which
2 would disqualify the State of New Jersey or any department, agency
3 or governmental subdivision thereof for the purpose of receiving
4 federal highway funds.

5 As used herein and pursuant to R.S.39:1-1, the term "vehicle"
6 includes, but is not limited to, commercial motor vehicles, trucks,
7 truck tractors, tractors, road tractors, recreation vehicles, or
8 omnibuses. As used herein and pursuant to R.S.39:1-1, the term
9 "combination of vehicles" includes, but is not limited to, vehicles as
10 heretofore designated, when those vehicles are the drawing or power
11 unit of a combination of vehicles and motor-drawn vehicles, such as,
12 but not limited to, trailers, semi-trailers, or other vehicles. As used
13 herein, the term "recycling vehicle" means a commercial motor vehicle
14 used for the collection or transportation of recyclable material; or any
15 truck, trailer or other vehicle approved by the New Jersey Office of
16 Recycling for use by persons engaging in the business of recycling or
17 otherwise providing recycling services in this State; and "recyclable
18 material" means those materials which would otherwise become solid
19 waste, and which may be collected, separated or processed and
20 returned to the economic mainstream in the form of raw materials or
21 products.

22 (1) The maximum outside width of any vehicle or combination of
23 vehicles, including load or contents of any part or portion thereof,
24 except as otherwise provided by this subsection, shall be no more than
25 102 inches; except that the Commissioner of Transportation, after
26 consultation with the Director of the Division of Motor Vehicles and
27 the Superintendent of State Police, may promulgate rules and
28 regulations for those public roads, streets or highways or public or
29 quasi-public property in this State, where it is determined that the
30 interests of public safety and welfare require the maximum outside
31 width be no more than 96 inches.

32 (2) The maximum height of any vehicle or combination of vehicles,
33 including load or contents of any part or portion thereof, except as
34 otherwise provided by this subsection, shall not exceed 13 feet, 6
35 inches.

36 (3) The maximum overall length of any vehicle, as set forth in this
37 subsection, including load or contents or any part or portion thereof,
38 except as otherwise provided by this subsection, shall not exceed 40
39 feet, except that the overall length of a vehicle, including load or
40 contents or any part or portion thereof, otherwise subject to the
41 provisions of this paragraph shall not exceed 50 feet when transporting
42 poles, pilings, structural units or other articles which cannot be
43 dismembered, dismantled or divided. When a vehicle, subject to this
44 paragraph, is the drawing or power unit of a combination of vehicles,
45 as set forth in this subsection, the overall length of the combination of
46 vehicles, including load or contents or any part or portion thereof,

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1 shall not exceed 62 feet. The provisions of this paragraph shall not
2 apply to omnibuses or to vehicles which are not designed, built or
3 otherwise capable of carrying cargo or loads.

4 (4) The maximum overall length of a motor-drawn vehicle, as set
5 forth in this subsection, including load or contents or any part or
6 portion thereof, except as otherwise provided by this subsection, shall
7 not exceed 53 feet when operated as part of a combination of vehicles
8 consisting of one motor-drawn vehicle and a drawing or power unit
9 vehicle not designed, built or otherwise capable of carrying cargo or
10 loads, except that a motor-drawn vehicle, the overall length of which
11 is greater than 48 feet and not more than 53 feet, shall be constructed
12 so that the distance between the kingpin of the motor-drawn vehicle
13 and the centerline of its rear axle or rear axle group does not exceed
14 41 feet; the motor-drawn vehicle shall be equipped with a rear-end
15 protection device of substantial construction consisting of a
16 continuous lateral beam extending to within four inches of the lateral
17 extremities of the motor-drawn vehicle and located not more than 22
18 inches from the surface as measured with the vehicle empty and on a
19 level surface; the kingpin of the trailer shall not be set back further
20 than 3.5 feet from the front of the semitrailer; the rear overhang,
21 measured from the center of the rear tandem axles to the rear of the
22 semitrailer shall not exceed 35% of the semitrailer's wheelbase; the
23 width of the semitrailer and the distance between the outside edges of
24 the trailer tires shall be 102 inches; and the vehicle shall be equipped
25 with such reflectorization, including but not limited to side-marker
26 reflectorization strips located between the rear axle and the rear of the
27 motor-drawn vehicle, as shall be prescribed by the Division of Motor
28 Vehicles, and as is consistent with any applicable federal standards
29 concerning reflectorization. The overall length of a motor-drawn
30 vehicle otherwise subject to the provisions of this paragraph shall not
31 exceed 63 feet when transporting poles, pilings, structural units or
32 other articles that cannot be dismembered, dismantled or divided. The
33 provisions of this paragraph shall not apply to any vehicle or
34 combination of vehicles designed, built and utilized solely to transport
35 other motor vehicles. The Commissioner of Transportation, after
36 consultation with the Director of the Division of Motor Vehicles and
37 the Superintendent of State Police, shall promulgate rules and
38 regulations specifying those portions or parts of the National System
39 of Interstate and Defense Highways, Federal-aid Primary System
40 Highways and public roads, streets, highways, toll roads, freeways or
41 parkways in this State where the combination of vehicles as described
42 in this paragraph may lawfully operate. The commissioner shall
43 promulgate rules and regulations within 120 days after the effective
44 date of this amendatory act to identify a network of roads with
45 reasonable access for motor-drawn vehicles greater than 48 feet in
46 length but not more than 53 feet in length. The commissioner shall, in

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1 establishing this network, consider all portions of the network for 48
2 foot long and 102 inch wide motor-drawn vehicles and specify those
3 routes or portions thereof where motor-drawn vehicles greater than 48
4 feet in length but not more than 53 feet in length shall be excluded
5 from lawful operation for reasons of safety.

6 (5) No combination of vehicles, including load or contents,
7 consisting of more than two motor-drawn vehicles, as set forth in this
8 subsection, and any other vehicle, shall be found or operated on any
9 public road, street or highway or any public or quasi-public property
10 in this State.

11 (6) The maximum overall length of a motor-drawn vehicle, as set
12 forth in this section, including load or contents or any part or portion
13 thereof, except as otherwise provided by this subsection, when
14 operated as part of a combination of vehicles consisting of two
15 motor-drawn vehicles and a drawing or power unit vehicle which is
16 not designed, built or otherwise capable of carrying cargo or loads,
17 shall not exceed 28 feet for each motor-drawn vehicle in the
18 combination of vehicles. The provision of this paragraph shall not
19 apply to any vehicle or combination of vehicles designed, built and
20 utilized solely to transport other motor vehicles. The Commissioner of
21 Transportation, after consultation with the Director of the Division of
22 Motor Vehicles and the Superintendent of State Police, shall
23 promulgate rules and regulations specifying those portions or parts of
24 the National System of Interstate and Defense Highways, Federal-aid
25 Primary System Highways and public roads, streets, highways, toll
26 roads, freeways or parkways in this State where combinations of
27 vehicles as described in this paragraph may lawfully operate.

28 (7) The maximum length and outside width of an omnibus found
29 or operated in this State shall be established by rules and regulations
30 promulgated by the Commissioner of Transportation, after
31 consultation with the Director of the Division of Motor Vehicles and
32 the Superintendent of State Police. Unless otherwise specified in the
33 aforesaid rules and regulations, the maximum outside width shall be
34 102 inches; any other dimension established for width in the aforesaid
35 rules and regulations shall be based upon a determination that
36 operation of an omnibus with a width of less than 102 inches, but no
37 less than 96 inches is required in the interest of public safety on those
38 public roads, streets, highways, toll roads, freeways, parkways or the
39 National System of Interstate and Defense Highways in this State
40 specified in the aforesaid rules and regulations, or that operation of an
41 omnibus with a width greater than 102 inches is not unsafe on those
42 public roads, streets, highways, toll roads, freeways, parkways or the
43 National System of Interstate and Defense Highways in this State
44 specified in the aforesaid rules and regulations.

45 (8) The maximum width and length of farm tractors and traction
46 equipment and farm machinery and implements shall be established by

1 rules and regulations promulgated by the Director of the Division of
2 Motor Vehicles. The operation of the aforesaid vehicles shall be
3 subject to the provisions of R.S.39:3-24 and they shall not be operated
4 on any highway which is part of the National System of Interstate and
5 Defense Highways or on any highway which has been designated a
6 freeway or parkway as provided by law.

7 (9) The maximum outside width of the cargo or load of a vehicle
8 or combination of vehicles, including farm trucks, loaded with hay or
9 straw shall not exceed 105 1/2 inches, but the maximum outside width
10 of the vehicle or combination of vehicles, including farm trucks, shall
11 otherwise comply with the provisions of paragraph (1) of this
12 subsection. The Commissioner of Transportation, after consultation
13 with the Director of the Division of Motor Vehicles and the
14 Superintendent of State Police, may promulgate rules and regulations
15 establishing a maximum outside width of 102 inches for the aforesaid
16 cargo or load when operating on those highways where a greater
17 width is prohibited by operation of law.

18 (10) Notwithstanding the provisions of paragraphs (4) and (6) of
19 this subsection pertaining to length, the Director of the Division of
20 Motor Vehicles may adopt rules and regulations specifying maximum
21 length dimensions for any vehicle or combination of vehicles designed,
22 built and utilized solely to transport other motor vehicles.

23 (11) The provisions of this subsection pertaining to length shall not
24 apply to a vehicle or combination of vehicles or special mobile
25 equipment operated by a public utility, as defined in R.S.48:2-13,
26 when that vehicle or combination of vehicles or special mobile
27 equipment is used by the public utility in the construction,
28 reconstruction, repair or maintenance of its property or facilities.

29 (12) The provisions of this subsection pertaining to width shall not
30 apply to a recycling vehicle when that vehicle is used for the collection
31 of recyclable material on a street or highway other than a highway
32 which is designated part of the National System of Interstate and
33 Defense Highways in this State or as a freeway or parkway as
34 provided by law. The maximum outside width of any recycling vehicle
35 so used, including load or contents of any part or portion thereof, shall
36 be no more than 96 inches, except that the width may be up to 105
37 inches whenever that vehicle is operating at 15 miles per hour or less,
38 and access steps are deployed and recyclable materials are actually
39 being collected.

40 b. No vehicle or combination of vehicles, including load or
41 contents, found or operated on any public road, street or highway or
42 any public or quasi-public property in this State shall exceed the
43 weight limitations set forth in this Title. Violations shall be enforced
44 pursuant to subsection j. of section 5 of P.L.1950, c.142
45 (C.39:3-84.3).

46 Where enforcement of a weight limit provision of this Title requires

1 a measurement of length between axle centers, the distance between
2 axle centers shall be measured to the nearest whole foot or whole inch,
3 whichever is applicable, and when the measurement includes a
4 fractional part of a foot equaling six inches or more or a fractional part
5 of an inch equaling one-half inch or more, the next larger whole foot
6 or whole inch, whichever is applicable, shall be utilized. The term
7 "tandem axle" as used in this act is defined as a combination of
8 consecutive axles, consisting of only two axles, where the distance
9 between axle centers is 40 inches or more but no more than 96 inches.

10 In addition to the other requirements of this section and
11 notwithstanding any other provision of this Title, no vehicle or
12 combination of vehicles, including load or contents, shall be operated
13 in this State, unless by special permit authorized by this Title, with a
14 gross weight, single or multiple axle weight, or gross weight of two or
15 more consecutive axles, the allowance of which would disqualify the
16 State of New Jersey or any department, agency or governmental
17 subdivision thereof for the purpose of receiving federal highway funds.

18 (1) The gross weight imposed on the highway or other surface by
19 the wheels of any one axle of a vehicle or combination of vehicles,
20 including load or contents, shall not exceed 22,400 pounds.

21 For the purpose of this Title the combined gross weight imposed on
22 the highway or other surface by all the wheels of any one axle of a
23 vehicle or combination of vehicles, including load or contents, shall be
24 deemed to mean the total gross weight of all wheels whose axle
25 centers are spaced less than 40 inches apart.

26 (2) The gross weight imposed on the highway or other surface by
27 all the wheels of all consecutive axles of a vehicle or combination of
28 vehicles, including load or contents, shall not exceed 34,000 pounds
29 where the distance between consecutive axle centers is 40 inches or
30 more, but no more than 96 inches apart.

31 (3) The combined gross weight imposed on the highway or other
32 surface by all the wheels of consecutive axles of a vehicle or
33 combination of vehicles, including load or contents, shall not exceed
34 22,400 pounds for each single axle where the distance between
35 consecutive axle centers is more than 96 inches; except that on any
36 highway in this State which is part of, or designated as part of, the
37 National Interstate System, as provided at 23 U.S.C.s.103(e), this
38 single axle limitation shall not apply and in those instances the
39 provisions of this Title as set forth at R.S.39:3-84b.(5) shall apply.

40 (4) The maximum total gross weight imposed on the highway or
41 other surface by a vehicle or combination of vehicles, including load
42 or contents, shall not exceed 80,000 pounds.

43 (5) On any highway in this State which is part of, or designated as
44 part of, the National Interstate System, as provided at 23
45 U.S.C.s.103(e), the total gross weight, in pounds, imposed on the
46 highway or other surface by any group of two or more consecutive

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1 axles of a vehicle or combination of vehicles, including load or
2 contents, shall not exceed that listed in the following Table of
3 Maximum Gross Weights, for the respective distance, in feet, between
4 the axle centers of the first and last axles of the group of two or more
5 consecutive axles under consideration; except that in addition to the
6 weights specified in that Table, two consecutive sets of tandem axles
7 may carry a gross weight of 34,000 pounds each if the overall distance
8 between the first and last axles of the consecutive sets of tandem axles
9 is 36 feet or more. The gross weight of each set of tandem axles shall
10 not exceed 34,000 pounds and the combined gross weight of the two
11 consecutive sets of tandem axles shall not exceed 68,000 pounds.

12 In all cases the combined gross weight for a vehicle or combination
13 of vehicles, including load or contents, or the maximum gross weight
14 for any axle or combination of axles of the vehicle or combination of
15 vehicles, including load or contents, shall not exceed that which is
16 permitted pursuant to this paragraph or R.S.39:3-84b.(2);
17 R.S.39:3-84b.(3); or R.S.39:3-84b.(4) of this act, whichever is the
18 lesser allowable gross weight.

19

20 TABLE OF MAXIMUM GROSS WEIGHTS

21

22 Distance in feet

23

24 between axle

25

26 centers of first

27

28 and last axles

29

30 of any group

31

32 of two or more

33

34 consecutive axles

35

36 2 3 4 5 6 7

37 axles axles axles axles axles axles

38

39 3 22400 22400 22400 22400 22400 22400

40

41 4 34000 34000 34000 34000 34000 34000

42

43 5 34000 34000 34000 34000 34000 34000

44

45 6 34000 34000 34000 34000 34000 34000

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11

1	7	34000	34000	34000	34000	34000	34000
2							
3	8	34000	34000	34000	34000	34000	34000
4							
5	9	39000	42500	42500	42500	42500	42500
6							
7	10	40000	43500	43500	43500	43500	43500
8							
9	11	41000	44000	44000	44000	44000	44000
10							
11	12	42000	45000	50000	50000	50000	50000
12							
13	13	43000	45500	50500	50500	50500	50500
14							
15	14	44000	46500	51500	51500	51500	51500
16							
17	15	44800	47000	52000	52000	52000	52000
18							
19	16	44800	48000	52500	58000	58000	58000
20							
21	17	44800	48500	53500	58500	58500	58500
22							
23	18	44800	49500	54000	59000	59000	59000
24							
25	19	44800	50000	54500	60000	60000	60000
26							
27	20	44800	51000	55500	60500	66000	66000
28							
29	21	44800	51500	56000	61000	66500	66500
30							
31	22	44800	52500	56500	61500	67000	67000
32							
33	23	44800	53000	57500	62500	68000	68000
34							
35	24	44800	54000	58000	63000	68500	74000
36							
37	25	44800	54500	58500	63500	69000	74500
38							
39	26	44800	55500	59500	64000	69500	75000
40							
41	27	44800	56000	60000	65000	70000	75500
42							
43	28	44800	57000	60500	65500	71000	76500
44							
45	29	44800	57500	61500	66000	71500	77000

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12

1	30	44800	58500	62000	66500	72000	77500
2							
3	31	44800	59000	62500	67500	72500	78000
4							
5	32	44800	60000	63500	68000	73000	78500
6							
7	33	44800	60500	64000	68500	74000	79000
8							
9	34	44800	61500	64500	69000	74500	80000
10							
11	35	44800	62000	65500	70000	75000	80000
12							
13	36	44800	63000	66000	70500	75500	80000
14							
15	37	44800	63500	66500	71000	76000	80000
16							
17	38	44800	64500	67500	71500	77000	80000
18							
19	39	44800	65000	68000	72500	77500	80000
20							
21	40	44800	66000	68500	73000	78000	80000
22							
23	41	44800	66500	69500	73500	78500	80000
24							
25	42	44800	67200	70000	74000	79000	80000
26							
27	43	44800	67200	70500	75000	80000	80000
28							
29	44	44800	67200	71500	75500	80000	80000
30							
31	45	44800	67200	72000	76000	80000	80000
32							
33	46	44800	67200	72500	76500	80000	80000
34							
35	47	44800	67200	73500	77500	80000	80000
36							
37	48	44800	67200	74000	78000	80000	80000
38							
39	49	44800	67200	74500	78500	80000	80000
40							
41	50	44800	67200	75500	79000	80000	80000
42							
43	51	44800	67200	76000	80000	80000	80000
44							
45	52	44800	67200	76500	80000	80000	80000

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1	53	44800	67200	77500	80000	80000	80000
2							
3	54	44800	67200	78000	80000	80000	80000
4							
5	55	44800	67200	78500	80000	80000	80000
6							
7	56	44800	67200	79500	80000	80000	80000
8							
9	57	44800	67200	80000	80000	80000	80000
10							
11	58	44800	67200	80000	80000	80000	80000
12							
13	59	44800	67200	80000	80000	80000	80000
14							
15	60	44800	67200	80000	80000	80000	80000
16							
17	61	44800	67200	80000	80000	80000	80000
18							
19	62	44800	67200	80000	80000	80000	80000
20							
21	63	44800	67200	80000	80000	80000	80000
22							
23	64	44800	67200	80000	80000	80000	80000
24							
25	65	44800	67200	80000	80000	80000	80000
26							
27	66	44800	67200	80000	80000	80000	80000
28							
29	67	44800	67200	80000	80000	80000	80000
30							
31	68	44800	67200	80000	80000	80000	80000
32							
33	69	44800	67200	80000	80000	80000	80000
34							
35	70	44800	67200	80000	80000	80000	80000
36							

37 c. The dimensional and weight restrictions set forth herein shall
38 not apply to a combination of vehicles which includes a disabled
39 vehicle or a combination of vehicles being removed from a highway in
40 this State, provided that such oversize or overweight vehicle
41 combination may not travel on the public highways more than five
42 miles from the point where such disablement occurred. If the
43 disablement occurred on a limited access highway, the distance to the
44 nearest exit of such highway shall be added to the five-mile limitation.

45 d. The Director of the Division of Motor Vehicles may
46 promulgate rules and regulations, including the establishment of fees,

1 for the issuance, at his discretion and if good cause appears, of a
2 special written permit authorizing the applicant:

3 (1) To operate or move a vehicle or combination of vehicles or
4 special mobile equipment, transporting one piece loads that cannot be
5 dismembered, dismantled or divided in order to comply with the
6 weight limitations set forth in this act. The special written permit
7 issued by the director shall be in the possession of the driver or
8 operator of the vehicle or combination of vehicles or special mobile
9 equipment for which said permit was issued; and

10 (2) To operate or move a vehicle or combination of vehicles or
11 specialized mobile equipment, transporting a load or cargo that cannot
12 be dismembered, dismantled or divided in order to comply with the
13 dimensional limitations set forth in this act. The special written permit
14 shall be in the possession of the driver or operator of the vehicle or
15 combination of vehicles or special mobile equipment for which the
16 permit was issued; and

17 (3) Under emergency conditions, to operate or move a type of
18 vehicle or combination of vehicles or special mobile equipment of a
19 size or weight, including load or contents, which exceeds the
20 maximum size or weight limitations specified in this act.

21 e. If the Commissioner of Transportation has, by regulations
22 adopted pursuant to the "Administrative Procedure Act," P.L.
23 1968,c.410 (C.52:14B-1 et seq.), designated certain routes within the
24 State for use by a combination of vehicles with a prescribed maximum
25 width or length or consisting of a drawing vehicle and two motor
26 drawn vehicles with a prescribed maximum length, no such
27 combination of vehicles shall be found or operated on any other public
28 road, street or highway or any other public or quasi-public property in
29 this State, unless otherwise permitted by such regulations.

30 (cf: P.L. 1999, c.29, s.1)

31

32 7. Section 5 of P.L.1950, c.142 (C.39:3-84.3) is amended to read
33 as follows:

34 5. a. Officers shall have authority as set forth in paragraphs (1)
35 through (3) of this subsection to require the driver, operator, owner,
36 lessee or bailee of any vehicle or combination of vehicles found on any
37 public road, street, or highway or any public or quasi-public property
38 in this State to facilitate and permit the measurement or weighing of
39 the vehicle or combination of vehicles, including load or contents, for
40 the purpose of determining whether the size or weight of the vehicle
41 or combination of vehicles, including load or contents, is in excess of
42 that permitted in this Title:

43 (1) Officers of the Division of State Police shall have the exclusive
44 authority to conduct random roadside examinations for the purpose of
45 determining whether size or weight is in excess of that permitted in
46 this Title, and officers of the Division of State Police shall have the

1 authority, with or without probable cause to believe that the size or
2 weight is in excess of that permitted, to require the driver, operator,
3 owner, lessee or bailee, to stop, drive or otherwise move to a location
4 for measurement or weighing and submit the vehicle or combination
5 of vehicles, including load or contents, to measurement or weighing;

6 (2) Police or peace officers or inspectors appointed by any
7 municipality or county shall have the authority to require the driver,
8 operator, owner, lessee or bailee to stop, drive or otherwise move to
9 a location for measurement or weighing and submit the vehicle or
10 combination of vehicles, including load or contents, to measurement
11 or weighing, only if the officer has probable cause to believe that the
12 size or weight of the vehicle or combination of vehicles, including load
13 or contents, is in excess of that permitted by this Title; and

14 (3) The Division of State Police and the director shall have the
15 exclusive authority to establish and operate locations for the
16 measurement and weighing of vehicles, including load and contents,
17 and all measuring and weighing devices or scales employed at such
18 locations shall be approved and certified by the State Superintendent
19 of Weights and Measures or the State Superintendent's agent. Copies
20 of documents displaying the State Superintendent's seal or certification
21 shall be prima facie evidence of the reliability and accuracy of the
22 measuring or weighing devices or scales utilized.

23 b. Whenever the officer, upon measuring or weighing a vehicle or
24 combination of vehicles, including load or contents, determines that
25 the size or weight is in excess of the limits permitted in this Title, the
26 officer or inspector shall require the driver, operator, owner, lessee or
27 bailee to stop the vehicle or combination of vehicles in a suitable place
28 and remain in that place until a portion of the load or contents of the
29 vehicle or combination of vehicles is removed by the driver, operator,
30 owner, lessee, bailee or duly appointed agent thereof, as may be
31 necessary to conform or reduce the size or weight of the vehicle or
32 combination of vehicles, including load or contents, to those limits as
33 permitted under this act, or permitted by the certificate of registration
34 for the vehicle or combination of vehicles, whichever may be lower.
35 All materials so unloaded or removed shall be cared for by the driver,
36 owner, operator, lessee or bailee of the vehicle or combination of
37 vehicles, or duly appointed agent thereof, at the risk, responsibility and
38 liability of the driver, owner, operator, lessee, bailee or duly appointed
39 agent thereof.

40 c. No vehicle or combination of vehicles shall be deemed to be in
41 violation of the weight limitation provision of this act, when, upon
42 examination by the officer, the dispatch papers for the vehicle or
43 combination of vehicles, including load or contents, show it is
44 proceeding from its last preceding freight pickup point within the State
45 of New Jersey by a reasonably expeditious route to the nearest
46 available scales or to the first available scales in the general direction

1 towards which the vehicle or combination of vehicles has been
2 dispatched, or is returning from such scales after weighing-in to the
3 last preceding pickup point.

4 d. When the officer determines that a vehicle or combination of
5 vehicles, including load or contents, is in violation of the weight
6 limitations of this Title as provided at paragraph (1) of subsection b.
7 of R.S.39:3-84; paragraph (2) of subsection b. of R.S.39:3-84;
8 paragraph (3) of subsection b. of R.S.39:3-84; or paragraph (5) of
9 subsection b. of R.S.39:3-84 relative to maximum gross axle weights,
10 but is within the permissible maximum gross vehicle weight of this
11 Title as provided at paragraph (4) of subsection b. of R.S.39:3-84 or
12 paragraph (5) of subsection b. of R.S.39:3-84, whichever is applicable,
13 the driver, operator, owner, lessee, bailee or duly appointed agent
14 thereof shall be permitted, before proceeding, to redistribute the
15 weight of the vehicle or combination of vehicles or the load or
16 contents of the vehicle or combination of vehicles so that no axle or
17 combination of consecutive axles are in excess of the limits set by this
18 act, in which event there is no violation.

19 e. When the officer determines that a vehicle or combination of
20 vehicles, including load or contents, is in violation of the height, width
21 or length limits of this Title as provided at subsection a. of
22 R.S.39:3-84, the driver, operator, owner, lessee or bailee of the
23 vehicle or combination of vehicles or duly appointed agent thereof
24 shall be permitted, before proceeding, to adjust, reduce or conform the
25 vehicle or combination of vehicles, including load or contents, so that
26 the vehicle or combination of vehicles, including load or contents, are
27 not in excess of the height, width, or length limits set by this act, in
28 which event there is no violation.

29 f. The provisions of this subsection shall not apply to a vehicle or
30 combination of vehicles, including load or contents, found or operated
31 on any highway in this State which is part of or designated as part of
32 the National Interstate System, as provided at 23 U.S.C. s. 103(e). No
33 arrest shall be made or summons issued for a violation of the weight
34 limitations provided in this act at subsection b. of R.S.39:3-84 where
35 the excess weight is no more than 5% of the weight permitted,
36 provided the gross weight of the vehicle or combination of vehicles,
37 including load or contents, does not exceed the maximum gross weight
38 of 80,000 pounds as set forth at paragraph (4) of subsection b. of
39 R.S.39:3-84.

40 g. Any person who presents to the officer, or has in his possession,
41 or who prepares false dispatch papers, that is to say, dispatch papers
42 which do not correspond to the cargo carried, shall be subject to a fine
43 not to exceed ~~[\$100.00]~~ \$300.

44 h. Any driver of a vehicle or combination of vehicles who fails or
45 refuses to stop and submit the vehicle or combination of vehicles,
46 including load or contents, to measurement or weighing, as provided

1 in this Title, or otherwise fails to comply with the provisions of this
2 section, shall be subject to a fine not exceeding \$200.00.

3 i. The owner, lessee, bailee or any one of the aforesaid of any
4 vehicle or combination of vehicles found or operated on any public
5 road, street or highway or on any public or quasi-public property in
6 this State in violation of the height, width or length limits as set forth
7 in subsection a. of R.S.39:3-84 shall be fined not less than \$150.00
8 nor more than \$500.00.

9 j. The owner, lessee, bailee or any one of the aforesaid of any
10 vehicle or combination of vehicles found or operated on any public
11 road, street or highway or on any public or quasi-public property in
12 this State, with a gross weight of the vehicle or combination of
13 vehicles, including load or contents, in excess of the weight limitations
14 as provided at subsection b. of R.S.39:3-84 or section 3 of P.L.1950,
15 c.142 (C.39:3-84.1) shall be fined an amount equal to \$0.02 per pound
16 for each pound of the total excess weight; provided the total excess
17 weight is 10,000 pounds or less, or shall be fined an amount equal to
18 \$0.03 per pound for each pound of the total excess weight; provided
19 the total excess weight is more than 10,000 pounds, but in no event
20 shall the fine be less than \$50.00. However, in the case of any vehicle
21 or combination of vehicles carrying a sealed ocean container, either the
22 shipper, the consignee or both, shall be liable for a violation of the
23 weight limitations as provided at subsection b. of R.S.39:3-84 relative
24 to maximum gross axle weights.

25 k. Whenever a vehicle or combination of vehicles, including load
26 or contents, is found to be in violation of any two or more of the
27 weight limitations as provided at subsection b. of R.S.39:3-84 or
28 section 3 of P.L.1950, c.142 (C.39:3-84.1), the fine levied shall be
29 only for the violation involving the greater or greatest excess weight.

30 l. The driver, owner, lessee, or bailee or any one of the foregoing
31 of any combination of vehicles found or operated on any public road,
32 street or highway or on any public or quasi-public property in the
33 State in violation of the regulations of the Commissioner of
34 Transportation regarding designated routes for such combinations as
35 provided in subsection e. of R.S. 39:3-84 shall be fined \$400 for the
36 first offense, \$700 for the second offense and \$1,000 for each
37 subsequent offense. The officer may direct that a combination of
38 vehicles so found or operated proceed by the most direct route to a
39 permitted route or return to a permitted route by making use of the
40 route already traversed.

41 (cf: P.L.1994,c.60,s.33)

42

43 8. This act shall take effect immediately and sections 1 through 5
44 shall expire six months following the organization of the "Truck Law
45 Enforcement Study Commission."

STATEMENT

1
2
3 This bill would create an 11-member "Truck Law Enforcement
4 Study Commission" to study and make recommendations concerning
5 the cooperation of local police in the enforcement of the State's
6 trucking laws and implementing regulations.

7 The commission is being formed to deal with the role of the local
8 and State Police in the area of truck enforcement in aftermath of the
9 Commissioner of Transportation's recently adopted regulations
10 designating certain highways in the State as roadways outside of the
11 National Network where certain large trucks are not permitted.

12 The membership of the commission is to consist of two members
13 of the Senate appointed by the President thereof, who are not to be
14 members of the same political party; two members of the General
15 Assembly appointed by the Speaker thereof, who are not to be
16 members of the same political party; two persons to be appointed by
17 the President of the Senate and Speaker of the General Assembly
18 respectively who are, or have been, active in local law enforcement
19 and have expertise in highway traffic safety; the Attorney General,
20 the Commissioner of Transportation, and the Superintendent of the
21 State Police, ex officio, or their designees; an officer or employee of
22 the Executive Branch appointed by the Governor who shall serve as
23 chairman of the commission; and a representative of the New Jersey
24 Motor Truck Association.

25 Within six months of its organization, the commission would
26 submit a final report of its findings and recommendations, including
27 any drafts of legislation, if so recommended, to the Governor and the
28 Legislature.

29 The bill additionally amends existing law to provide that if the
30 Commissioner of Transportation has by regulation designated certain
31 routes within the State for use by tractor-trailers with a prescribed
32 maximum width or length or tandem tractor-trailers with a prescribed
33 length, no such tractor-trailers shall be permitted on any other road,
34 street or highway or any other public or quasi-public property in the
35 State, unless otherwise permitted by such regulations. Any driver,
36 owner, lessee or bailee of such a tractor-trailer operating in a non-
37 permitted area would be fined \$400 for the first offense, \$700 for the
38 second offense and \$1,000 for each subsequent offense. By including
39 the driver, in addition to the owner, lessee or bailee, as subject to the
40 fine, the bill provides police officers with the discretion to cite the
41 driver for a violation if the officer believes that the particular
42 circumstances of the incident warrant it, although past experience
43 indicates that in similar situations truck drivers are very seldom cited,
44 since the responsibility for a violation is usually determined to lie with
45 the owner, lessee or bailee. In addition, the officer may direct that a
46 combination of vehicles so found or operated proceed by the most

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1 direct route to a permitted route or return to a permitted route by
2 making use of the route already traversed. Current practice requires
3 the driver to proceed over the route already traversed even though it
4 may be safer for the driver to proceed more directly to a permitted
5 route. The bill also increases the fine for false dispatch papers from
6 \$100 to \$300.

7 This bill would thus serve to clarify that a separate offense and
8 penalty exists for tractor-trailers which violate the recently adopted
9 regulations (N.J.A.C. 16:32) which designate certain routes in the
10 State where only certain classes of commercial motor vehicles are
11 permitted to operate and provides, through the creation of a study
12 commission, for a consideration of the role of local police in the
13 enforcement of the State's trucking laws.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3540

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 2, 1999

The Assembly Transportation Committee reports favorably Assembly Bill No. 3540 with committee amendments.

As amended, the bill changes existing law to provide that if the Commissioner of Transportation has by regulation designated certain routes within the State for use by tractor-trailers with a prescribed maximum width or length or tandem tractor-trailers with a prescribed length, no such tractor-trailers shall be permitted on any other road, street or highway or any other public or quasi-public property in the State, unless otherwise permitted by such regulations. Any driver, owner, lessee or bailee of such a tractor-trailer operating in a non-permitted area would be fined not more than \$400 for the first offense, and be subject to a fine of \$700 for the second offense and a fine of \$1,000 for each subsequent offense. By including the driver, in addition to the owner, lessee or bailee, as subject to the fine, the bill provides police officers with the discretion to cite the driver for a violation if the officer believes that the particular circumstances of the incident warrant it, although past experience indicates that in similar situations truck drivers are very seldom cited, since the responsibility for a violation is usually determined to lie with the owner, lessee or bailee. In addition, the officer may direct that a combination of vehicles so found or operated proceed by the most direct route to a permitted route or return to a permitted route by making use of the route already traversed. Current practice requires the driver to proceed over the route already traversed even though it may be safer for the driver to proceed more directly to a permitted route. The bill also increases the fine for false dispatch papers from \$100 to \$300.

This bill would thus serve to clarify that a separate offense and penalty exists for tractor-trailers which violate the recently adopted regulations (N.J.A.C.16:32) which designate certain routes in the State where only certain classes of commercial motor vehicles are permitted to operate.

The committee amendments change the fine structure to provide the judge with the authority to use discretion in imposing a fine for the first offense. The amendments permit the judge to impose a fine up to \$400 for the first offense. The second and subsequent offenses are not

affected by these amendments and the fines for the offenses remain set at \$700 and \$1000 respectively. The amendments also remove the Truck Law Enforcement Study Commission. The committee also adopted technical amendments.

SENATE, No. 2179

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED SEPTEMBER 30, 1999

Sponsored by:

Senator WILLIAM E. SCHLUTER
District 23 (Warren, Hunterdon and Mercer)
Senator ANDREW R. CIESLA
District 10 (Monmouth and Ocean)

Co-Sponsored by:

Senators Kavanaugh, Littell and Turner

SYNOPSIS

Establishes "Truck Law Enforcement Study Commission" and provides for penalties for trucks operating on routes where not permitted by regulation.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning commercial motor vehicles, creating a commission
2 to study and make recommendations concerning the enforcement of
3 the laws relating to trucks and amending various parts of the
4 statutory law.

5

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

8

9 1. (New section) The Legislature finds and declares:

10 a. On July 16, 1999 the Commissioner of Transportation, at the
11 direction of Governor Whitman, adopted emergency regulations
12 designating certain highways in the State where certain large trucks
13 are permitted to operate and other roadways where vehicles such as
14 "102-inch wide standard trucks" and double tandem trailers are not so
15 permitted, which regulations became permanent in September 1999.

16 b. There has been much debate on the question of the enforcement
17 of the regulations of the Commissioner of Transportation from which
18 two issues have come to the fore: The creation of clearly defined
19 penalties for violating the regulations and the proper role of the police
20 forces of this State in enforcing these regulations.

21 c. It is necessary and appropriate to provide a schedule of fines for
22 violation of the regulations of the commissioner and to create a study
23 commission on truck law enforcement to deal with the issue of the role
24 of both the local police and State Police in enforcing the State's
25 trucking laws.

26 d. It is appropriate that the commission, in its study of the truck
27 enforcement issue, consider how the local police forces of the State
28 can assist the State Police in the enforcement of the State's trucking
29 laws and implementing regulations.

30

31 2. (New section) There is created a commission to be known as
32 the "Truck Law Enforcement Study Commission" to study and make
33 recommendations concerning the enforcement of the State's trucking
34 laws and implementing regulations. The commission shall consist of
35 11 members as follows:

36 a. Two members of the Senate to be appointed by the President of
37 the Senate, who shall not be of the same political party.

38 b. Two members of the General Assembly to be appointed by the
39 Speaker of the General Assembly, who shall not be of the same
40 political party.

41 c. One member to be appointed by the President of the Senate and
42 one member appointed by the Speaker of the General Assembly, both
43 of whom shall be, or have been, involved in local law enforcement

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 matters and have expertise in highway traffic safety.

2 d. One member appointed by the Governor from among the officers
3 and employees of the Executive Branch who shall serve as chairman
4 of the commission.

5 e. The Attorney General, the Commissioner of Transportation, the
6 Superintendent of the State Police, or their designees, who shall serve
7 ex officio.

8 f. A representative of the New Jersey Motor Truck Association.

9 Members who are legislators appointed by the President of the
10 Senate or the Speaker of the General Assembly shall serve only as long
11 as they hold the legislative seat they held at the time of their
12 appointment.

13 Vacancies in the membership of the commission shall be filled in the
14 same manner as the original appointments were made. Members shall
15 serve without compensation, but the commission may, within the limits
16 of funds appropriated or otherwise made available for these purposes,
17 reimburse its members for expenses necessarily incurred in the
18 discharge of their official duties.

19

20 3. (New section) The commission shall organize as soon as may be
21 practicable after the appointment of a majority of its membership and
22 shall select a secretary, who need not be a member of the commission.

23 The commission shall meet at the call of the chairman.

24 The commission shall be entitled to call to its assistance and avail
25 itself of the services of the employees of any State department, board,
26 bureau, commission or agency, as it may require and as may be
27 available for its purposes, and to employ stenographic and clerical
28 assistance and incur traveling and other miscellaneous expenses as may
29 be necessary in order to perform its duties, within the limits of funds
30 appropriated or otherwise made available to it for its purposes.

31

32 4. (New section) It shall be the duty of the commission to study
33 the enforcement of the State's trucking laws and implementing
34 regulations. Of particular concern to this study shall be the
35 appropriate role of the local police in the enforcement of the recently
36 adopted regulations of the commissioner banning "102-inch wide
37 standard trucks" on certain roadways and any other commercial motor
38 vehicle which the commissioner may by law be authorized to ban on
39 roadways outside of the National Network. The commission shall
40 consider the proper cooperative relationship between the State Police
41 and local police in the enforcement of these regulations, with due
42 regard for the uniform enforcement of the State's trucking laws, the
43 free flow of goods and services on the State's highways, the safety of
44 both police and trucks when the latter are stopped on highways for
45 suspected violations, and any other matter relevant to the proper
46 enforcement of the State's trucking laws in a manner which is

1 reasonable and not arbitrary or capricious. The commission may
2 consider the appropriate supervisory role of the State Police in any
3 enforcement efforts, the use of voluntary agreements between the
4 State Police and local police, and the creation of a joint State-local
5 task force or forces to facilitate enforcement. If a greater role for the
6 local police is not deemed appropriate, the commission may give
7 consideration to the matter of the expansion of the resources available
8 to the State Police to properly enforce the State's trucking laws.

9
10 5. (New section) The commission may meet and hold public
11 hearings at such place or places as it shall designate during the
12 sessions or recesses of the Legislature and shall issue a final report of
13 its findings and recommendations, if any, which shall include draft
14 legislation, if the commission recommends that legislation is necessary,
15 to the Governor, the President of the Senate, the Speaker of the
16 General Assembly, and the members of the Senate Transportation
17 Committee and the Assembly Transportation Committee, or their
18 successor committees, as soon as is practicable, but not later than six
19 months following the organization of the commission. The
20 commission shall dissolve six months following the organization of the
21 commission.

22
23 6. R.S. 39:3-84 is amended to read as follows:

24 39:3-84. a. The following constitute the maximum dimensional
25 limits for width, height and length for any vehicle or combination of
26 vehicles, including load or contents or any part or portion thereof,
27 found or operated on any public road, street or highway or any public
28 or quasi-public property in this State. Violations shall be enforced
29 pursuant to subsection i. of section 5 of P.L.1950, c.142
30 (C.39:3-84.3).

31 The dimensional limitations set forth in this subsection are exclusive
32 of safety and energy conservation devices necessary for safe and
33 efficient operation of a vehicle or combination of vehicles, including
34 load or contents, except that no device excluded herein shall have by
35 its design or use the capability to carry, transport or otherwise be
36 utilized for cargo.

37 Any rules and regulations authorized to be promulgated pursuant
38 to this subsection shall be consistent with any rules and regulations
39 promulgated by the Secretary of Transportation of the United States
40 of America, and shall be in accordance with the provisions of the
41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
42 seq.). In addition to the other requirements of this subsection and
43 notwithstanding any other provision of this Title, no vehicle or
44 combination of vehicles, including load or contents or any part or
45 portion thereof, except as otherwise provided by this subsection shall
46 be operated in this State, unless by special permit authorized by

1 subsection d. of this section with a dimension, the allowance of which
2 would disqualify the State of New Jersey or any department, agency
3 or governmental subdivision thereof for the purpose of receiving
4 federal highway funds.

5 As used herein and pursuant to R.S.39:1-1, the term "vehicle"
6 includes, but is not limited to, commercial motor vehicles, trucks,
7 truck tractors, tractors, road tractors, recreation vehicles, or
8 omnibuses. As used herein and pursuant to R.S.39:1-1, the term
9 "combination of vehicles" includes, but is not limited to, vehicles as
10 heretofore designated, when those vehicles are the drawing or power
11 unit of a combination of vehicles and motor-drawn vehicles, such as,
12 but not limited to, trailers, semi-trailers, or other vehicles. As used
13 herein, the term "recycling vehicle" means a commercial motor vehicle
14 used for the collection or transportation of recyclable material; or any
15 truck, trailer or other vehicle approved by the New Jersey Office of
16 Recycling for use by persons engaging in the business of recycling or
17 otherwise providing recycling services in this State; and "recyclable
18 material" means those materials which would otherwise become solid
19 waste, and which may be collected, separated or processed and
20 returned to the economic mainstream in the form of raw materials or
21 products.

22 (1) The maximum outside width of any vehicle or combination of
23 vehicles, including load or contents of any part or portion thereof,
24 except as otherwise provided by this subsection, shall be no more than
25 102 inches; except that the Commissioner of Transportation, after
26 consultation with the Director of the Division of Motor Vehicles and
27 the Superintendent of State Police, may promulgate rules and
28 regulations for those public roads, streets or highways or public or
29 quasi-public property in this State, where it is determined that the
30 interests of public safety and welfare require the maximum outside
31 width be no more than 96 inches.

32 (2) The maximum height of any vehicle or combination of vehicles,
33 including load or contents of any part or portion thereof, except as
34 otherwise provided by this subsection, shall not exceed 13 feet, 6
35 inches.

36 (3) The maximum overall length of any vehicle, as set forth in this
37 subsection, including load or contents or any part or portion thereof,
38 except as otherwise provided by this subsection, shall not exceed 40
39 feet, except that the overall length of a vehicle, including load or
40 contents or any part or portion thereof, otherwise subject to the
41 provisions of this paragraph shall not exceed 50 feet when transporting
42 poles, pilings, structural units or other articles which cannot be
43 dismembered, dismantled or divided. When a vehicle, subject to this
44 paragraph, is the drawing or power unit of a combination of vehicles,
45 as set forth in this subsection, the overall length of the combination of
46 vehicles, including load or contents or any part or portion thereof,

1 shall not exceed 62 feet. The provisions of this paragraph shall not
2 apply to omnibuses or to vehicles which are not designed, built or
3 otherwise capable of carrying cargo or loads.

4 (4) The maximum overall length of a motor-drawn vehicle, as set
5 forth in this subsection, including load or contents or any part or
6 portion thereof, except as otherwise provided by this subsection, shall
7 not exceed 53 feet when operated as part of a combination of vehicles
8 consisting of one motor-drawn vehicle and a drawing or power unit
9 vehicle not designed, built or otherwise capable of carrying cargo or
10 loads, except that a motor-drawn vehicle, the overall length of which
11 is greater than 48 feet and not more than 53 feet, shall be constructed
12 so that the distance between the kingpin of the motor-drawn vehicle
13 and the centerline of its rear axle or rear axle group does not exceed
14 41 feet; the motor-drawn vehicle shall be equipped with a rear-end
15 protection device of substantial construction consisting of a
16 continuous lateral beam extending to within four inches of the lateral
17 extremities of the motor-drawn vehicle and located not more than 22
18 inches from the surface as measured with the vehicle empty and on a
19 level surface; the kingpin of the trailer shall not be set back further
20 than 3.5 feet from the front of the semitrailer; the rear overhang,
21 measured from the center of the rear tandem axles to the rear of the
22 semitrailer shall not exceed 35% of the semitrailer's wheelbase; the
23 width of the semitrailer and the distance between the outside edges of
24 the trailer tires shall be 102 inches; and the vehicle shall be equipped
25 with such reflectorization, including but not limited to side-marker
26 reflectorization strips located between the rear axle and the rear of the
27 motor-drawn vehicle, as shall be prescribed by the Division of Motor
28 Vehicles, and as is consistent with any applicable federal standards
29 concerning reflectorization. The overall length of a motor-drawn
30 vehicle otherwise subject to the provisions of this paragraph shall not
31 exceed 63 feet when transporting poles, pilings, structural units or
32 other articles that cannot be dismembered, dismantled or divided. The
33 provisions of this paragraph shall not apply to any vehicle or
34 combination of vehicles designed, built and utilized solely to transport
35 other motor vehicles. The Commissioner of Transportation, after
36 consultation with the Director of the Division of Motor Vehicles and
37 the Superintendent of State Police, shall promulgate rules and
38 regulations specifying those portions or parts of the National System
39 of Interstate and Defense Highways, Federal-aid Primary System
40 Highways and public roads, streets, highways, toll roads, freeways or
41 parkways in this State where the combination of vehicles as described
42 in this paragraph may lawfully operate. The commissioner shall
43 promulgate rules and regulations within 120 days after the effective
44 date of this amendatory act to identify a network of roads with
45 reasonable access for motor-drawn vehicles greater than 48 feet in
46 length but not more than 53 feet in length. The commissioner shall, in

1 establishing this network, consider all portions of the network for 48
2 foot long and 102 inch wide motor-drawn vehicles and specify those
3 routes or portions thereof where motor-drawn vehicles greater than 48
4 feet in length but not more than 53 feet in length shall be excluded
5 from lawful operation for reasons of safety.

6 (5) No combination of vehicles, including load or contents,
7 consisting of more than two motor-drawn vehicles, as set forth in this
8 subsection, and any other vehicle, shall be found or operated on any
9 public road, street or highway or any public or quasi-public property
10 in this State.

11 (6) The maximum overall length of a motor-drawn vehicle, as set
12 forth in this section, including load or contents or any part or portion
13 thereof, except as otherwise provided by this subsection, when
14 operated as part of a combination of vehicles consisting of two
15 motor-drawn vehicles and a drawing or power unit vehicle which is
16 not designed, built or otherwise capable of carrying cargo or loads,
17 shall not exceed 28 feet for each motor-drawn vehicle in the
18 combination of vehicles. The provision of this paragraph shall not
19 apply to any vehicle or combination of vehicles designed, built and
20 utilized solely to transport other motor vehicles. The Commissioner of
21 Transportation, after consultation with the Director of the Division of
22 Motor Vehicles and the Superintendent of State Police, shall
23 promulgate rules and regulations specifying those portions or parts of
24 the National System of Interstate and Defense Highways, Federal-aid
25 Primary System Highways and public roads, streets, highways, toll
26 roads, freeways or parkways in this State where combinations of
27 vehicles as described in this paragraph may lawfully operate.

28 (7) The maximum length and outside width of an omnibus found
29 or operated in this State shall be established by rules and regulations
30 promulgated by the Commissioner of Transportation, after
31 consultation with the Director of the Division of Motor Vehicles and
32 the Superintendent of State Police. Unless otherwise specified in the
33 aforesaid rules and regulations, the maximum outside width shall be
34 102 inches; any other dimension established for width in the aforesaid
35 rules and regulations shall be based upon a determination that
36 operation of an omnibus with a width of less than 102 inches, but no
37 less than 96 inches is required in the interest of public safety on those
38 public roads, streets, highways, toll roads, freeways, parkways or the
39 National System of Interstate and Defense Highways in this State
40 specified in the aforesaid rules and regulations, or that operation of an
41 omnibus with a width greater than 102 inches is not unsafe on those
42 public roads, streets, highways, toll roads, freeways, parkways or the
43 National System of Interstate and Defense Highways in this State
44 specified in the aforesaid rules and regulations.

45 (8) The maximum width and length of farm tractors and traction
46 equipment and farm machinery and implements shall be established by

1 rules and regulations promulgated by the Director of the Division of
2 Motor Vehicles. The operation of the aforesaid vehicles shall be
3 subject to the provisions of R.S.39:3-24 and they shall not be operated
4 on any highway which is part of the National System of Interstate and
5 Defense Highways or on any highway which has been designated a
6 freeway or parkway as provided by law.

7 (9) The maximum outside width of the cargo or load of a vehicle
8 or combination of vehicles, including farm trucks, loaded with hay or
9 straw shall not exceed 105 1/2 inches, but the maximum outside width
10 of the vehicle or combination of vehicles, including farm trucks, shall
11 otherwise comply with the provisions of paragraph (1) of this
12 subsection. The Commissioner of Transportation, after consultation
13 with the Director of the Division of Motor Vehicles and the
14 Superintendent of State Police, may promulgate rules and regulations
15 establishing a maximum outside width of 102 inches for the aforesaid
16 cargo or load when operating on those highways where a greater
17 width is prohibited by operation of law.

18 (10) Notwithstanding the provisions of paragraphs (4) and (6) of
19 this subsection pertaining to length, the Director of the Division of
20 Motor Vehicles may adopt rules and regulations specifying maximum
21 length dimensions for any vehicle or combination of vehicles designed,
22 built and utilized solely to transport other motor vehicles.

23 (11) The provisions of this subsection pertaining to length shall not
24 apply to a vehicle or combination of vehicles or special mobile
25 equipment operated by a public utility, as defined in R.S.48:2-13,
26 when that vehicle or combination of vehicles or special mobile
27 equipment is used by the public utility in the construction,
28 reconstruction, repair or maintenance of its property or facilities.

29 (12) The provisions of this subsection pertaining to width shall not
30 apply to a recycling vehicle when that vehicle is used for the collection
31 of recyclable material on a street or highway other than a highway
32 which is designated part of the National System of Interstate and
33 Defense Highways in this State or as a freeway or parkway as
34 provided by law. The maximum outside width of any recycling vehicle
35 so used, including load or contents of any part or portion thereof, shall
36 be no more than 96 inches, except that the width may be up to 105
37 inches whenever that vehicle is operating at 15 miles per hour or less,
38 and access steps are deployed and recyclable materials are actually
39 being collected.

40 b. No vehicle or combination of vehicles, including load or
41 contents, found or operated on any public road, street or highway or
42 any public or quasi-public property in this State shall exceed the
43 weight limitations set forth in this Title. Violations shall be enforced
44 pursuant to subsection j. of section 5 of P.L.1950, c.142
45 (C.39:3-84.3).

46 Where enforcement of a weight limit provision of this Title requires

1 a measurement of length between axle centers, the distance between
2 axle centers shall be measured to the nearest whole foot or whole inch,
3 whichever is applicable, and when the measurement includes a
4 fractional part of a foot equaling six inches or more or a fractional part
5 of an inch equaling one-half inch or more, the next larger whole foot
6 or whole inch, whichever is applicable, shall be utilized. The term
7 "tandem axle" as used in this act is defined as a combination of
8 consecutive axles, consisting of only two axles, where the distance
9 between axle centers is 40 inches or more but no more than 96 inches.

10 In addition to the other requirements of this section and
11 notwithstanding any other provision of this Title, no vehicle or
12 combination of vehicles, including load or contents, shall be operated
13 in this State, unless by special permit authorized by this Title, with a
14 gross weight, single or multiple axle weight, or gross weight of two or
15 more consecutive axles, the allowance of which would disqualify the
16 State of New Jersey or any department, agency or governmental
17 subdivision thereof for the purpose of receiving federal highway funds.

18 (1) The gross weight imposed on the highway or other surface by
19 the wheels of any one axle of a vehicle or combination of vehicles,
20 including load or contents, shall not exceed 22,400 pounds.

21 For the purpose of this Title the combined gross weight imposed on
22 the highway or other surface by all the wheels of any one axle of a
23 vehicle or combination of vehicles, including load or contents, shall be
24 deemed to mean the total gross weight of all wheels whose axle
25 centers are spaced less than 40 inches apart.

26 (2) The gross weight imposed on the highway or other surface by
27 all the wheels of all consecutive axles of a vehicle or combination of
28 vehicles, including load or contents, shall not exceed 34,000 pounds
29 where the distance between consecutive axle centers is 40 inches or
30 more, but no more than 96 inches apart.

31 (3) The combined gross weight imposed on the highway or other
32 surface by all the wheels of consecutive axles of a vehicle or
33 combination of vehicles, including load or contents, shall not exceed
34 22,400 pounds for each single axle where the distance between
35 consecutive axle centers is more than 96 inches; except that on any
36 highway in this State which is part of, or designated as part of, the
37 National Interstate System, as provided at 23 U.S.C.s.103(e), this
38 single axle limitation shall not apply and in those instances the
39 provisions of this Title as set forth at R.S.39:3-84b.(5) shall apply.

40 (4) The maximum total gross weight imposed on the highway or
41 other surface by a vehicle or combination of vehicles, including load
42 or contents, shall not exceed 80,000 pounds.

43 (5) On any highway in this State which is part of, or designated as
44 part of, the National Interstate System, as provided at 23
45 U.S.C.s.103(e), the total gross weight, in pounds, imposed on the
46 highway or other surface by any group of two or more consecutive

1 axles of a vehicle or combination of vehicles, including load or
 2 contents, shall not exceed that listed in the following Table of
 3 Maximum Gross Weights, for the respective distance, in feet, between
 4 the axle centers of the first and last axles of the group of two or more
 5 consecutive axles under consideration; except that in addition to the
 6 weights specified in that Table, two consecutive sets of tandem axles
 7 may carry a gross weight of 34,000 pounds each if the overall distance
 8 between the first and last axles of the consecutive sets of tandem axles
 9 is 36 feet or more. The gross weight of each set of tandem axles shall
 10 not exceed 34,000 pounds and the combined gross weight of the two
 11 consecutive sets of tandem axles shall not exceed 68,000 pounds.

12 In all cases the combined gross weight for a vehicle or combination
 13 of vehicles, including load or contents, or the maximum gross weight
 14 for any axle or combination of axles of the vehicle or combination of
 15 vehicles, including load or contents, shall not exceed that which is
 16 permitted pursuant to this paragraph or R.S.39:3-84b.(2);
 17 R.S.39:3-84b.(3); or R.S.39:3-84b.(4) of this act, whichever is the
 18 lesser allowable gross weight.

19

20 TABLE OF MAXIMUM GROSS WEIGHTS

21

22 Distance in feet

23

24 between axle

25

26 centers of first

27

28 and last axles

29

30 of any group

31

32 of two or more

33

34 consecutive axles

35

36		2	3	4	5	6	7
37		axles	axles	axles	axles	axles	axles

38

39	3	22400	22400	22400	22400	22400	22400
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40

41	4	34000	34000	34000	34000	34000	34000
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42

43	5	34000	34000	34000	34000	34000	34000
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44

45	6	34000	34000	34000	34000	34000	34000
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1	7	34000	34000	34000	34000	34000	34000
2							
3	8	34000	34000	34000	34000	34000	34000
4							
5	9	39000	42500	42500	42500	42500	42500
6							
7	10	40000	43500	43500	43500	43500	43500
8							
9	11	41000	44000	44000	44000	44000	44000
10							
11	12	42000	45000	50000	50000	50000	50000
12							
13	13	43000	45500	50500	50500	50500	50500
14							
15	14	44000	46500	51500	51500	51500	51500
16							
17	15	44800	47000	52000	52000	52000	52000
18							
19	16	44800	48000	52500	58000	58000	58000
20							
21	17	44800	48500	53500	58500	58500	58500
22							
23	18	44800	49500	54000	59000	59000	59000
24							
25	19	44800	50000	54500	60000	60000	60000
26							
27	20	44800	51000	55500	60500	66000	66000
28							
29	21	44800	51500	56000	61000	66500	66500
30							
31	22	44800	52500	56500	61500	67000	67000
32							
33	23	44800	53000	57500	62500	68000	68000
34							
35	24	44800	54000	58000	63000	68500	74000
36							
37	25	44800	54500	58500	63500	69000	74500
38							
39	26	44800	55500	59500	64000	69500	75000
40							
41	27	44800	56000	60000	65000	70000	75500
42							
43	28	44800	57000	60500	65500	71000	76500
44							
45	29	44800	57500	61500	66000	71500	77000

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1	30	44800	58500	62000	66500	72000	77500
2							
3	31	44800	59000	62500	67500	72500	78000
4							
5	32	44800	60000	63500	68000	73000	78500
6							
7	33	44800	60500	64000	68500	74000	79000
8							
9	34	44800	61500	64500	69000	74500	80000
10							
11	35	44800	62000	65500	70000	75000	80000
12							
13	36	44800	63000	66000	70500	75500	80000
14							
15	37	44800	63500	66500	71000	76000	80000
16							
17	38	44800	64500	67500	71500	77000	80000
18							
19	39	44800	65000	68000	72500	77500	80000
20							
21	40	44800	66000	68500	73000	78000	80000
22							
23	41	44800	66500	69500	73500	78500	80000
24							
25	42	44800	67200	70000	74000	79000	80000
26							
27	43	44800	67200	70500	75000	80000	80000
28							
29	44	44800	67200	71500	75500	80000	80000
30							
31	45	44800	67200	72000	76000	80000	80000
32							
33	46	44800	67200	72500	76500	80000	80000
34							
35	47	44800	67200	73500	77500	80000	80000
36							
37	48	44800	67200	74000	78000	80000	80000
38							
39	49	44800	67200	74500	78500	80000	80000
40							
41	50	44800	67200	75500	79000	80000	80000
42							
43	51	44800	67200	76000	80000	80000	80000
44							
45	52	44800	67200	76500	80000	80000	80000

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13

1 53 44800 67200 77500 80000 80000 80000
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37 c. The dimensional and weight restrictions set forth herein shall
38 not apply to a combination of vehicles which includes a disabled
39 vehicle or a combination of vehicles being removed from a highway in
40 this State, provided that such oversize or overweight vehicle
41 combination may not travel on the public highways more than five
42 miles from the point where such disablement occurred. If the
43 disablement occurred on a limited access highway, the distance to the
44 nearest exit of such highway shall be added to the five-mile limitation.

45 d. The Director of the Division of Motor Vehicles may
46 promulgate rules and regulations, including the establishment of fees,

1 for the issuance, at his discretion and if good cause appears, of a
2 special written permit authorizing the applicant:

3 (1) To operate or move a vehicle or combination of vehicles or
4 special mobile equipment, transporting one piece loads that cannot be
5 dismembered, dismantled or divided in order to comply with the
6 weight limitations set forth in this act. The special written permit
7 issued by the director shall be in the possession of the driver or
8 operator of the vehicle or combination of vehicles or special mobile
9 equipment for which said permit was issued; and

10 (2) To operate or move a vehicle or combination of vehicles or
11 specialized mobile equipment, transporting a load or cargo that cannot
12 be dismembered, dismantled or divided in order to comply with the
13 dimensional limitations set forth in this act. The special written permit
14 shall be in the possession of the driver or operator of the vehicle or
15 combination of vehicles or special mobile equipment for which the
16 permit was issued; and

17 (3) Under emergency conditions, to operate or move a type of
18 vehicle or combination of vehicles or special mobile equipment of a
19 size or weight, including load or contents, which exceeds the
20 maximum size or weight limitations specified in this act.

21 e. If the Commissioner of Transportation has, by regulations
22 adopted pursuant to the "Administrative Procedure Act," P.L.
23 1968,c.410 (C.52:14B-1 et seq.), designated certain routes within the
24 State for use by a combination of vehicles with a prescribed maximum
25 width or length or consisting of a drawing vehicle and two motor
26 drawn vehicles with a prescribed maximum length, no such
27 combination of vehicles shall be found or operated on any other public
28 road, street or highway or any other public or quasi-public property in
29 this State, unless otherwise permitted by such regulations.

30 (cf: P.L. 1999, c.29, s.1)

31

32 7. Section 5 of P.L.1950, c.142 (C.39:3-84.3) is amended to read
33 as follows:

34 5. a. Officers shall have authority as set forth in paragraphs (1)
35 through (3) of this subsection to require the driver, operator, owner,
36 lessee or bailee of any vehicle or combination of vehicles found on any
37 public road, street, or highway or any public or quasi-public property
38 in this State to facilitate and permit the measurement or weighing of
39 the vehicle or combination of vehicles, including load or contents, for
40 the purpose of determining whether the size or weight of the vehicle
41 or combination of vehicles, including load or contents, is in excess of
42 that permitted in this Title:

43 (1) Officers of the Division of State Police shall have the exclusive
44 authority to conduct random roadside examinations for the purpose of
45 determining whether size or weight is in excess of that permitted in
46 this Title, and officers of the Division of State Police shall have the

1 authority, with or without probable cause to believe that the size or
2 weight is in excess of that permitted, to require the driver, operator,
3 owner, lessee or bailee, to stop, drive or otherwise move to a location
4 for measurement or weighing and submit the vehicle or combination
5 of vehicles, including load or contents, to measurement or weighing;

6 (2) Police or peace officers or inspectors appointed by any
7 municipality or county shall have the authority to require the driver,
8 operator, owner, lessee or bailee to stop, drive or otherwise move to
9 a location for measurement or weighing and submit the vehicle or
10 combination of vehicles, including load or contents, to measurement
11 or weighing, only if the officer has probable cause to believe that the
12 size or weight of the vehicle or combination of vehicles, including load
13 or contents, is in excess of that permitted by this Title; and

14 (3) The Division of State Police and the director shall have the
15 exclusive authority to establish and operate locations for the
16 measurement and weighing of vehicles, including load and contents,
17 and all measuring and weighing devices or scales employed at such
18 locations shall be approved and certified by the State Superintendent
19 of Weights and Measures or the State Superintendent's agent. Copies
20 of documents displaying the State Superintendent's seal or certification
21 shall be prima facie evidence of the reliability and accuracy of the
22 measuring or weighing devices or scales utilized. b .

23 Whenever the officer, upon measuring or weighing a vehicle or
24 combination of vehicles, including load or contents, determines that
25 the size or weight is in excess of the limits permitted in this Title, the
26 officer or inspector shall require the driver, operator, owner, lessee or
27 bailee to stop the vehicle or combination of vehicles in a suitable place
28 and remain in that place until a portion of the load or contents of the
29 vehicle or combination of vehicles is removed by the driver, operator,
30 owner, lessee, bailee or duly appointed agent thereof, as may be
31 necessary to conform or reduce the size or weight of the vehicle or
32 combination of vehicles, including load or contents, to those limits as
33 permitted under this act, or permitted by the certificate of registration
34 for the vehicle or combination of vehicles, whichever may be lower.
35 All materials so unloaded or removed shall be cared for by the driver,
36 owner, operator, lessee or bailee of the vehicle or combination of
37 vehicles, or duly appointed agent thereof, at the risk, responsibility and
38 liability of the driver, owner, operator, lessee, bailee or duly appointed
39 agent thereof.

40 c. No vehicle or combination of vehicles shall be deemed to be in
41 violation of the weight limitation provision of this act, when, upon
42 examination by the officer, the dispatch papers for the vehicle or
43 combination of vehicles, including load or contents, show it is
44 proceeding from its last preceding freight pickup point within the State
45 of New Jersey by a reasonably expeditious route to the nearest
46 available scales or to the first available scales in the general direction

1 towards which the vehicle or combination of vehicles has been
2 dispatched, or is returning from such scales after weighing-in to the
3 last preceding pickup point.

4 d. When the officer determines that a vehicle or combination of
5 vehicles, including load or contents, is in violation of the weight
6 limitations of this Title as provided at paragraph (1) of subsection b.
7 of R.S.39:3-84; paragraph (2) of subsection b. of R.S.39:3-84;
8 paragraph (3) of subsection b. of R.S.39:3-84; or paragraph (5) of
9 subsection b. of R.S.39:3-84 relative to maximum gross axle weights,
10 but is within the permissible maximum gross vehicle weight of this
11 Title as provided at paragraph (4) of subsection b. of R.S.39:3-84 or
12 paragraph (5) of subsection b. of R.S.39:3-84, whichever is applicable,
13 the driver, operator, owner, lessee, bailee or duly appointed agent
14 thereof shall be permitted, before proceeding, to redistribute the
15 weight of the vehicle or combination of vehicles or the load or
16 contents of the vehicle or combination of vehicles so that no axle or
17 combination of consecutive axles are in excess of the limits set by this
18 act, in which event there is no violation.

19 e. When the officer determines that a vehicle or combination of
20 vehicles, including load or contents, is in violation of the height, width
21 or length limits of this Title as provided at subsection a. of
22 R.S.39:3-84, the driver, operator, owner, lessee or bailee of the
23 vehicle or combination of vehicles or duly appointed agent thereof
24 shall be permitted, before proceeding, to adjust, reduce or conform the
25 vehicle or combination of vehicles, including load or contents, so that
26 the vehicle or combination of vehicles, including load or contents, are
27 not in excess of the height, width, or length limits set by this act, in
28 which event there is no violation.

29 f. The provisions of this subsection shall not apply to a vehicle or
30 combination of vehicles, including load or contents, found or operated
31 on any highway in this State which is part of or designated as part of
32 the National Interstate System, as provided at 23 U.S.C. s. 103(e). No
33 arrest shall be made or summons issued for a violation of the weight
34 limitations provided in this act at subsection b. of R.S.39:3-84 where
35 the excess weight is no more than 5% of the weight permitted,
36 provided the gross weight of the vehicle or combination of vehicles,
37 including load or contents, does not exceed the maximum gross weight
38 of 80,000 pounds as set forth at paragraph (4) of subsection b. of
39 R.S.39:3-84.

40 g. Any person who presents to the officer, or has in his possession,
41 or who prepares false dispatch papers, that is to say, dispatch papers
42 which do not correspond to the cargo carried, shall be subject to a fine
43 not to exceed ~~[\$100.00]~~ \$300.

44 h. Any driver of a vehicle or combination of vehicles who fails or
45 refuses to stop and submit the vehicle or combination of vehicles,
46 including load or contents, to measurement or weighing, as provided

1 in this Title, or otherwise fails to comply with the provisions of this
2 section, shall be subject to a fine not exceeding \$200.00.

3 i. The owner, lessee, bailee or any one of the aforesaid of any
4 vehicle or combination of vehicles found or operated on any public
5 road, street or highway or on any public or quasi-public property in
6 this State in violation of the height, width or length limits as set forth
7 in subsection a. of R.S.39:3-84 shall be fined not less than \$150.00
8 nor more than \$500.00.

9 j. The owner, lessee, bailee or any one of the aforesaid of any
10 vehicle or combination of vehicles found or operated on any public
11 road, street or highway or on any public or quasi-public property in
12 this State, with a gross weight of the vehicle or combination of
13 vehicles, including load or contents, in excess of the weight limitations
14 as provided at subsection b. of R.S.39:3-84 or section 3 of P.L.1950,
15 c.142 (C.39:3-84.1) shall be fined an amount equal to \$0.02 per pound
16 for each pound of the total excess weight; provided the total excess
17 weight is 10,000 pounds or less, or shall be fined an amount equal to
18 \$0.03 per pound for each pound of the total excess weight; provided
19 the total excess weight is more than 10,000 pounds, but in no event
20 shall the fine be less than \$50.00. However, in the case of any vehicle
21 or combination of vehicles carrying a sealed ocean container, either the
22 shipper, the consignee or both, shall be liable for a violation of the
23 weight limitations as provided at subsection b. of R.S.39:3-84 relative
24 to maximum gross axle weights.

25 k. Whenever a vehicle or combination of vehicles, including load
26 or contents, is found to be in violation of any two or more of the
27 weight limitations as provided at subsection b. of R.S.39:3-84 or
28 section 3 of P.L.1950, c.142 (C.39:3-84.1), the fine levied shall be
29 only for the violation involving the greater or greatest excess weight.

30 l. The driver, owner, lessee, or bailee or any one of the foregoing
31 of any combination of vehicles found or operated on any public road,
32 street or highway or on any public or quasi-public property in the
33 State in violation of the regulations of the Commissioner of
34 Transportation regarding designated routes for such combinations as
35 provided in subsection e. of R.S. 39:3-84 shall be fined \$400 for the
36 first offense, \$700 for the second offense and \$1,000 for each
37 subsequent offense. The officer may direct that a combination of
38 vehicles so found or operated proceed by the most direct route to a
39 permitted route or return to a permitted route by making use of the
40 route already traversed.

41 (cf: P.L.1994,c.60,s.33)

42

43 8. This act shall take effect immediately and sections 1 through 5
44 shall expire six months following the organization of the "Truck Law
45 Enforcement Study Commission."

STATEMENT

1
2
3 This bill would create an 11-member "Truck Law Enforcement
4 Study Commission" to study and make recommendations concerning
5 the cooperation of local police in the enforcement of the State's
6 trucking laws and implementing regulations.

7 The commission is being formed to deal with the role of the local
8 and State Police in the area of truck enforcement in aftermath of the
9 Commissioner of Transportation's recently adopted regulations
10 designating certain highways in the State as roadways outside of the
11 National Network where certain large trucks are not permitted.

12 The membership of the commission is to consist of two members
13 of the Senate appointed by the President thereof, who are not to be
14 members of the same political party; two members of the General
15 Assembly appointed by the Speaker thereof, who are not to be
16 members of the same political party; two persons to be appointed by
17 the President of the Senate and Speaker of the General Assembly
18 respectively who are, or have been, active in local law enforcement
19 and have expertise in highway traffic safety; the Attorney General,
20 the Commissioner of Transportation, and the Superintendent of the
21 State Police, ex officio, or their designees; an officer or employee of
22 the Executive Branch appointed by the Governor who shall serve as
23 chairman of the commission; and a representative of the New Jersey
24 Motor Truck Association.

25 Within six months of its organization, the commission would
26 submit a final report of its findings and recommendations, including
27 any drafts of legislation, if so recommended, to the Governor and the
28 Legislature.

29 The bill additionally amends existing law to provide that if the
30 Commissioner of Transportation has by regulation designated certain
31 routes within the State for use by tractor-trailers with a prescribed
32 maximum width or length or tandem tractor-trailers with a prescribed
33 length, no such tractor-trailers shall be permitted on any other road,
34 street or highway or any other public or quasi-public property in the
35 State, unless otherwise permitted by such regulations. Any driver,
36 owner, lessee or bailee of such a tractor-trailer operating in a non-
37 permitted area would be fined \$400 for the first offense, \$700 for the
38 second offense and \$1,000 for each subsequent offense. By including
39 the driver, in addition to the owner, lessee or bailee, as subject to the
40 fine, the bill provides police officers with the discretion to cite the
41 driver for a violation if the officer believes that the particular
42 circumstances of the incident warrant it, although past experience
43 indicates that in similar situations truck drivers are very seldom cited,
44 since the responsibility for a violation is usually determined to lie with
45 the owner, lessee or bailee. In addition, the officer may direct that a
46 combination of vehicles so found or operated proceed by the most

1 direct route to a permitted route or return to a permitted route by
2 making use of the route already traversed. Current practice requires
3 the driver to proceed over the route already traversed even though it
4 may be safer for the driver to proceed more directly to a permitted
5 route. The bill also increases the fine for false dispatch papers from
6 \$100 to \$300.

7 This bill would thus serve to clarify that a separate offense and
8 penalty exists for tractor-trailers which violate the recently adopted
9 regulations (N.J.A.C. 16:32) which designate certain routes in the
10 State where only certain classes of commercial motor vehicles are
11 permitted to operate and provides, through the creation of a study
12 commission, for a consideration of the role of local police in the
13 enforcement of the State's trucking laws.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2179

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1999

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 2179.

As amended, the bill changes existing law to provide that if the Commissioner of Transportation has by regulation designated certain routes within the State for use by tractor-trailers with a prescribed maximum width or length or tandem tractor-trailers with a prescribed length, no such tractor-trailers shall be permitted on any other road, street or highway or any other public or quasi-public property in the State, unless otherwise permitted by such regulations. Any driver, owner, lessee or bailee of such a tractor-trailer operating in a non-permitted area would be fined not more than \$400 for the first offense, and be subject to a fine of \$700 for the second offense and a fine of \$1,000 for each subsequent offense. By including the driver, in addition to the owner, lessee or bailee, as subject to the fine, the bill provides police officers with the discretion to cite the driver for a violation if the officer believes that the particular circumstances of the incident warrant it, although past experience indicates that in similar situations truck drivers are very seldom cited, since the responsibility for a violation is usually determined to lie with the owner, lessee or bailee. In addition, the officer may direct that a combination of vehicles so found or operated proceed by the most direct route to a permitted route or return to a permitted route by making use of the route already traversed. Current practice requires the driver to proceed over the route already traversed even though it may be safer for the driver to proceed more directly to a permitted route. The bill also increases the fine for false dispatch papers from \$100 to \$300.

This bill would thus serve to clarify that a separate offense and penalty exists for tractor-trailers which violate the recently adopted regulations (N.J.A.C. 16:32) which designate certain routes in the State where only certain classes of commercial motor vehicles are permitted to operate.

The committee amendments change the fine structure to provide the judge with the authority to use discretion in imposing a fine for the first offense. The amendments permit the judge to impose a fine up to

\$400 for the first offense. The second and subsequent offenses are not affected by these amendments and the fines for the offenses remain set at \$700 and \$1000 respectively. The amendments also remove the Truck Law Enforcement Study Commission. The committee also adopted technical amendments.

As amended and reported by the committee, the bill is identical to A-3540 (1R).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2179

STATE OF NEW JERSEY

DATED: DECEMBER 13, 1999

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2179 (1R).

This bill changes existing law to provide that if the Commissioner of Transportation has by regulation designated certain routes within the State for use by tractor-trailers with a prescribed maximum width or length or tandem tractor-trailers with a prescribed length, then no such tractor-trailers shall be permitted on any other road, street or highway or any other public or quasi-public property in the State, unless otherwise permitted by such regulations.

The bill provides that a driver, owner, lessee or bailee of such a trailer operating in a non-permitted area would be subject to a fine of not more than \$400 for the first offense, \$700 for the second offense, and \$1,000 for each subsequent offense. By including the driver, in addition to the owner, lessee or bailee, as subject to the fine, the bill provides police officers with the discretion to cite the driver for a violation if the officer believes that the particular circumstances of the incident warrant it, although past experience indicates that in similar situations truck drivers are very seldom cited, since the responsibility for a violation is usually determined to lie with the owner, lessee or bailee. The officer may direct that a combination of vehicles so found or operated proceed by the most direct route to a permitted route or return to a permitted route by making use of the route already traversed. Current practice requires the driver to proceed over the route already traversed even though it may be safer for the driver to proceed more directly to a permitted route.

The bill also increases the fine for false dispatch papers from \$100 to \$300.

This bill would serve to clarify that a separate offense and penalty exists for tractor-trailers that violate the recently adopted regulations (N.J.A.C.16:32) designating certain routes in the State where only certain classes of commercial motor vehicles are permitted to operate.

FISCAL IMPACT

The fines for which this bill provides are new, so that there is no experience on which to base an estimate of the amount of revenue that

those fines will generate. The Office of Legislative Services (OLS) believes, however, that the amount of such revenue will not be large.

As with other fines levied under Title 39 (Motor Vehicles and Traffic Regulation), the disposition of revenue from fines levied under this legislation will depend upon which law enforcement agency it is whose representative cites the vehicle operator, owner or other person charged with committing the offense. If the citation is made by a member of the State Police, the entire amount of the fine is paid to the State. If the citation is made by a member of a local police force, one-half of the fine is paid to the State and the other half is disposed to the local jurisdiction in which the offense occurred.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Gene Herman
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RELEASE: January 13, 2000

GOVERNOR SIGNS LEGISLATION ESTABLISHING PENALTIES FOR INTERSTATE TRUCKERS ON LOCAL ROADS

Gov. Christie Whitman today signed legislation, which establishes penalties for interstate truckers who operate their vehicles on routes not permitted under New Jersey regulations that were called for by the Governor last summer.

"Our regulations are designed to protect the public by ensuring that interstate truck traffic remains on the system best suited for interstate travel. There is no reason that a large interstate truck that is not making a pickup or delivery in New Jersey should travel a small highway not designed for that purpose," the Governor said.

"The legislation provides for fines that are the toughest in the nation for these offenses and it sends the message that we are prepared to punish those who violate our regulations and affect the quality of life in our communities by illegally traveling on neighborhood roads and streets," she said.

Gov. Whitman called for the regulations to prohibit large interstate trucks from using state and county roadways as through routes or short cuts between National Network Highways. Under the regulations, large interstate trucks that are not making deliveries or pickups in New Jersey are directed to use highways that are a part of the National Network.

The National Network is a system of highways specifically identified as appropriate for use by large interstate trucks. The National Network is primarily comprised of interstate highways.

While interstate trucks are prohibited from using roads that are not a part of the National Network, nothing in the regulations prohibits trucks that are making deliveries on non-network highways from using those roads for delivery or other commercial purposes.

Under the legislation, violators of the regulations will be subject to a fine of up to \$400 for a first offense; up to \$700 for a second offense and up to \$1,000 fine for all subsequent offenses.

The legislation, **A-3540**, was sponsored by Assembly Member Leonard Lance (R-Warren/Hunterdon/Mercer) and Senators William E. Schluter (R-Warren/Hunterdon/Mercer) and Andrew R. Ciesla (R-Monmouth/Ocean).