

# 48:12-57

## LEGISLATIVE HISTORY CHECK Compiled by the NJ State Law Library

**LAWS OF:** 1999           **CHAPTER:** 430  
**NJSA:** 48:12-57       (Directs Commissioner of Transportation – railroads bell)  
**BILL NO:** A2386       (Substituted for S2180)  
**SPONSOR(S):** DeCroce and Merkt  
**DATE INTRODUCED:** September 14, 1998  
**COMMITTEE:**       **ASSEMBLY:** Transportation  
                             **SENATE:** Transportation  
**AMENDED DURING PASSAGE:** Yes  
**DATE OF PASSAGE:**     **ASSEMBLY:** October 29, 1998     **Re-enacted:** January 10, 2000  
                             **SENATE:** October 25, 1999     **Reenacted:** January 10, 2000  
**DATE OF APPROVAL:** January 18, 2000  
**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** Third Reprint (Corrected Copy)  
(Amendments during passage denoted by superscript numbers)

### A2386

**SPONSORS STATEMENT:** (Begins on page 2 of original bill) [Yes](#)

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

**SENATE:** [Yes](#)

**FLOOR AMENDMENT STATEMENTS:**                   No

**LEGISLATIVE FISCAL ESTIMATE:**                   No

### S2180

**SPONSORS STATEMENT:** (Begins on page 4 of original bill) [Yes](#)

**COMMITTEE STATEMENT:**                   **ASSEMBLY:** No

**SENATE:** No

**FLOOR AMENDMENT STATEMENTS:**                   No

**LEGISLATIVE FISCAL ESTIMATE:**                   No

**VETO MESSAGE:** [Yes](#)

**GOVERNOR'S PRESS RELEASE ON CONDITIONAL VETO:** [Yes](#)

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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

**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 1999, CHAPTER 430, *approved January 18, 2000*  
Assembly, No. 2386 (*Third Reprint*) (*Corrected Copy*)

1 **AN ACT** concerning railroads and amending <sup>3</sup>**[R.S.48:12-57]** and  
2 supplementing Title 48 of the Revised Statutes<sup>3</sup>.

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

6  
7 1. R.S.48:12-57 is amended to read as follows:

8 48:12-57. a. Every railroad company shall place on each engine a  
9 bell weighing not less than 30 pounds which shall be rung continuously  
10 in approaching a grade crossing of a highway, beginning at a distance  
11 of at least 300 yards from the crossing and continuing until the engine  
12 has crossed such highway, or a whistle or horn operated by steam, air  
13 or electricity, which shall be sounded, except in cities, at least 300  
14 yards from the crossing and at intervals until the engine has crossed  
15 the highway.

16 For every default the company operating such road shall pay a  
17 penalty of \$100.00 to be sued for by any informer within 10 days after  
18 such penalty was incurred, 1/2 to go to the informer and 1/2 to the  
19 county wherein such default occurred. Nothing herein shall take away  
20 any remedy for such neglect from any person injured thereby.

21 Upon application from the governing body of a county or  
22 municipality in which a grade crossing is located, the Commissioner of  
23 Transportation may, in his discretion, exempt railroad companies from  
24 observing the provisions of this section with respect to grade crossings  
25 in that county or municipality employing supplementary safety  
26 measures which have been approved by the Federal Railroad  
27 Administration or the Secretary of Transportation of the United States  
28 pursuant to 49 U.S.C.s. 20153 as fully compensating for the absence  
29 of the warning provided by the locomotive horn and which have  
30 received a waiver or exemption under 49 U.S.C.s. 20153(d).

31 As used in this act, "supplementary safety measure" means a safety  
32 system or procedure, provided by the appropriate traffic control  
33 authority or law enforcement authority responsible for safety at the  
34 highway-rail grade crossing, that is determined by the Secretary of  
35 Transportation of the United States to be an effective substitute for the  
36 locomotive horn in the prevention of highway-rail casualties. A traffic  
37 control arrangement that prevents careless movement over the

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> **Assembly ATR committee amendments adopted September 14, 1998.**

<sup>2</sup> **Senate STR committee amendments adopted May 20, 1999.**

<sup>3</sup> **Assembly amendments adopted in accordance with Governor's recommendations January 10, 2000.**

1 crossing, for example, as where adequate median barriers prevent  
2 movement around crossing gates extending over the full width of the  
3 lanes in the particular direction of travel, and that conforms to  
4 standards prescribed by the Secretary, shall be deemed to constitute a  
5 supplementary safety measure. However, the following do not,  
6 individually, or in combination, constitute supplementary safety  
7 measures: standard traffic control devices or arrangements such as  
8 reflectorized crossbucks, stop signs, flashing lights, flashing lights with  
9 gates that do not completely block travel over the line of railroad, or  
10 traffic signals.

11 b. With respect to that portion of a rail passenger line located in a  
12 county of the second class having a population between 420,000 and  
13 425,000, according to the most recent federal decennial census,  
14 running between a municipality having a population between 15,100  
15 and 15,125, according to the most recent federal decennial census, and  
16 a municipality having a population between 19,940 and 19,965,  
17 according to the most recent federal decennial census, upon  
18 application of a municipality in which a grade crossing of such line is  
19 located, the Commissioner of Transportation shall require that a  
20 railroad company or entity providing rail passenger service not sound  
21 a whistle or horn in that municipality <sup>2</sup>between the hours of 7:00 p.m.  
22 and 7:00 a.m., <sup>2</sup> but instead require that a bell weighing not less than  
23 30 pounds be rung <sup>2</sup>between such hours<sup>2</sup> at such grade crossing  
24 location as required by subsection a. of this section<sup>1</sup>, except that  
25 notwithstanding this requirement an operator shall not be subject to a  
26 penalty for sounding a whistle or horn in an emergency<sup>1</sup>.

27 <sup>2</sup>c. With respect to that portion of a rail passenger line located in  
28 a county of the first class having a population more than 825,000,  
29 according to the most recent federal decennial census, running through  
30 a municipality having a population between 30,530 and 30,560,  
31 according to the most recent federal decennial census, a municipality  
32 having a population between 9,850 and 9,900, according to the most  
33 recent federal decennial census, a municipality having a population  
34 between 10,870 and 10,900, according to the most recent federal  
35 decennial census, a municipality having a population between 3,900  
36 and 3,950, according to the most recent federal decennial census, a  
37 municipality having a population between 17,890 and 17,920,  
38 according to the most recent federal decennial census, a municipality  
39 having a population between 7,030 and 7,060, according to the most  
40 recent federal decennial census, a municipality having a population  
41 between 11,980 and 12,020, according to the most recent federal  
42 decennial census, a municipality having a population between 24,140  
43 and 24,170, according to the most recent federal decennial census, a  
44 municipality having a population between 9,755 and 9,760, according  
45 to the most recent federal decennial census, a municipality having a  
46 population between 9,230 and 9,260, according to the most recent

1 federal decennial census, and a municipality having a population  
2 between 15,360 and 15,400, according to the most recent federal  
3 decennial census, upon application of a municipality in which a grade  
4 crossing of such line is located, the Commissioner of Transportation  
5 shall require that a railroad company or entity providing rail passenger  
6 service not sound a whistle or horn in that municipality between the  
7 hours of 7:00 p.m. and 7:00 a.m., but instead require that a bell  
8 weighing not less than 30 pounds be rung between such hours at any  
9 such grade crossing location, except that notwithstanding this  
10 requirement, an operator shall not be subject to a penalty for sounding  
11 a whistle or horn in an emergency.<sup>2</sup>

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

13

14 <sup>3</sup>[2. This act shall take effect immediately.]<sup>3</sup>

15

16 <sup>3</sup>2. (New section) The Commissioner of Transportation may  
17 immediately proceed with a pilot demonstration program implementing  
18 the use of potential supplementary safety measures, in anticipation of  
19 the adoption of federal regulations establishing supplementary safety  
20 measures, for the purpose of studying the effectiveness of such  
21 measures at a limited number of grade crossings within the State, not  
22 to exceed 10 in total. The study, conducted pursuant to the pilot  
23 demonstration program, shall consider traffic and operational data,  
24 accident information, quality of life considerations, and overall safety  
25 at the selected grade crossings. The pilot demonstration program shall  
26 be carried out in consultation with the Federal Railroad Administration  
27 and the freight and passenger railroads selected for the program. The  
28 grade crossings selected for the pilot demonstration program shall be  
29 at the discretion of the Commissioner of Transportation.<sup>3</sup>

30

31 <sup>3</sup>3. (New section) Section 1 of this act shall take effect upon the  
32 effective date of regulations promulgated by the Secretary of  
33 Transportation pursuant to section 20153 of Title 49, United States  
34 Code (49 U.S.C. s.20153) and section 2 of this act shall take effect  
35 immediately.<sup>3</sup>

36

37

38

39

40 Directs Commissioner of Transportation, upon application from  
41 certain municipalities, to require railroad company or entity providing  
42 rail passenger service to sound bell only at grade crossing.

# ASSEMBLY, No. 2386

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED SEPTEMBER 14, 1998

**Sponsored by:**

**Assemblyman ALEX DECROCE**

**District 26 (Essex, Morris and Passaic)**

**Assemblyman RICHARD A. MERKT**

**District 25 (Morris)**

**Co-Sponsored by:**

**Assemblywoman Crecco, Assemblymen Gregg, Bagger, Augustine and Carroll**

**SYNOPSIS**

Directs Commissioner of Transportation, upon application from certain municipalities, to require railroad company or entity providing rail passenger service to sound bell only at grade crossing.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning railroads and amending R.S.48:12-57.

2

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

5

6 1. R.S.48:12-57 is amended to read as follows:

7 48:12-57. a. Every railroad company shall place on each engine a  
8 bell weighing not less than 30 pounds which shall be rung continuously  
9 in approaching a grade crossing of a highway, beginning at a distance  
10 of at least 300 yards from the crossing and continuing until the engine  
11 has crossed such highway, or a whistle or horn operated by steam, air  
12 or electricity, which shall be sounded, except in cities, at least 300  
13 yards from the crossing and at intervals until the engine has crossed  
14 the highway.

15 For every default the company operating such road shall pay a  
16 penalty of \$100.00 to be sued for by any informer within 10 days after  
17 such penalty was incurred, 1/2 to go to the informer and 1/2 to the  
18 county wherein such default occurred. Nothing herein shall take away  
19 any remedy for such neglect from any person injured thereby.

20 b. With respect to that portion of a rail passenger line located in a  
21 county of the second class having a population between 420,000 and  
22 425,000, according to the most recent federal decennial census,  
23 running between a municipality having a population between 15,100  
24 and 15,125, according to the most recent federal decennial census, and  
25 a municipality having a population between 19,940 and 19,965,  
26 according to the most recent federal decennial census, upon  
27 application of a municipality in which a grade crossing of such line is  
28 located, the Commissioner of Transportation shall require that a  
29 railroad company or entity providing rail passenger service not sound  
30 a whistle or horn in that municipality but instead require that a bell  
31 weighing not less than 30 pounds be rung at such grade crossing  
32 location as required by subsection a. of this section.

33 (cf: P.L.1962, c.198, s.120)

34

35 2. This act shall take effect immediately.

36

37

38

#### STATEMENT

39

40 This bill directs the Commissioner of Transportation, upon  
41 application from certain municipalities in a county of the second class  
42 having a population between 420,000 and 425,000 according to the  
43 most recent federal decennial census, to require a railroad company or

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

**Matter underlined thus is new matter.**

**A2386 DECROCE, MERKT**

3

- 1 entity providing rail passenger service to ring a bell and not sound a
- 2 whistle or horn when approaching and traveling through a grade
- 3 crossing.



ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2386**

with committee amendments

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 14, 1998

The Assembly Transportation Committee reports favorably Assembly Bill No. 2386 with committee amendments.

As amended by the committee, this bill directs the Commissioner of Transportation, upon application from certain municipalities in a county of the second class having a population between 420,000 and 425,000 according to the most recent federal decennial census, to require a railroad company or entity providing rail passenger service to ring a bell and not sound a whistle or horn when approaching and traveling through a grade crossing.

The committee amended the bill to provide that an operator would not be subject to a penalty for sounding a whistle or horn in an emergency.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

[First Reprint]

## **ASSEMBLY, No. 2386**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 20, 1999

The Senate Transportation Committee reports favorably and with committee amendments Assembly Bill No. 2386 (1R).

This bill, as amended, directs the Commissioner of Transportation, upon application from certain municipalities in a county of the second class which has a population between 420,000 and 425,000, according to the most recent federal decennial census, and upon application from certain municipalities in a county of the first class which has a population more than 825,000, according to the most recent federal decennial census, to require a railroad company or entity providing rail passenger service not to sound a whistle or horn at a grade crossing in that municipality between the hours of 7:00 p.m. and 7:00 a.m. Instead of sounding a horn, the bill states that the commissioner shall require that a bell weighing 30 pounds or more be rung at the grade crossing between those hours. The bill provides that an operator of a train shall not be subject to a penalty for sounding a whistle or horn in an emergency.

The committee amended the bill to limit the requirement that a railroad company or entity providing rail passenger service be prohibited from sounding a horn or whistle between the hours of 7:00 p.m. and 7:00 a.m. and to increase the number of eligible municipalities which may seek approval from the commissioner to prohibit the sounding of a horn or whistle between the hours of 7:00 p.m. and 7:00 a.m.

**SENATE, No. 2180**

---

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

---

INTRODUCED OCTOBER 18, 1999

**Sponsored by:**

**Senator HENRY P. MCNAMARA**

**District 40 (Bergen and Passaic)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris)**

**SYNOPSIS**

Directs Commissioner of Transportation, upon application from certain municipalities, to require railroad company or entity providing rail passenger service to sound bell only at grade crossing.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/26/1999)**

1 AN ACT concerning railroads and amending R.S.48:12-57.

2

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

5

6 1. R.S.48:12-57 is amended to read as follows:

7 48:12-57. a. Every railroad company shall place on each engine a  
8 bell weighing not less than 30 pounds which shall be rung continuously  
9 in approaching a grade crossing of a highway, beginning at a distance  
10 of at least 300 yards from the crossing and continuing until the engine  
11 has crossed such highway, or a whistle or horn operated by steam, air  
12 or electricity, which shall be sounded, except in cities, at least 300  
13 yards from the crossing and at intervals until the engine has crossed  
14 the highway.

15 For every default the company operating such road shall pay a  
16 penalty of \$100.00 to be sued for by any informer within 10 days after  
17 such penalty was incurred, 1/2 to go to the informer and 1/2 to the  
18 county wherein such default occurred. Nothing herein shall take away  
19 any remedy for such neglect from any person injured thereby.

20 Upon application from the governing body of a county or  
21 municipality in which a grade crossing is located, the Commissioner of  
22 Transportation may, in his discretion, exempt railroad companies from  
23 observing the provisions of this section with respect to grade crossings  
24 in that county or municipality employing supplementary safety  
25 measures which have been approved by the Federal Railroad  
26 Administration or the Secretary of Transportation of the United States  
27 pursuant to 49 U.S.C.s. 20153 as fully compensating for the absence  
28 of the warning provided by the locomotive horn and which have  
29 received a waiver or exemption under 49 U.S.C.s. 20153(d).

30 As used in this act, "supplementary safety measure" means a safety  
31 system or procedure, provided by the appropriate traffic control  
32 authority or law enforcement authority responsible for safety at the  
33 highway-rail grade crossing, that is determined by the Secretary of  
34 Transportation of the United States to be an effective substitute for the  
35 locomotive horn in the prevention of highway-rail casualties. A traffic  
36 control arrangement that prevents careless movement over the  
37 crossing, for example, as where adequate median barriers prevent  
38 movement around crossing gates extending over the full width of the  
39 lanes in the particular direction of travel, and that conforms to  
40 standards prescribed by the Secretary, shall be deemed to constitute a  
41 supplementary safety measure. However, the following do not,  
42 individually, or in combination, constitute supplementary safety  
43 measures: standard traffic control devices or arrangements such as

**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 reflectorized crossbucks, stop signs, flashing lights, flashing lights with  
2 gates that do not completely block travel over the line of railroad, or  
3 traffic signals.

4 b. With respect to that portion of a rail passenger line located in a  
5 county of the second class having a population between 420,000 and  
6 425,000, according to the most recent federal decennial census,  
7 running between a municipality having a population between 15,100  
8 and 15,125, according to the most recent federal decennial census, and  
9 a municipality having a population between 19,940 and 19,965,  
10 according to the most recent federal decennial census, upon  
11 application of a municipality in which a grade crossing of such line is  
12 located, the Commissioner of Transportation shall require that a  
13 railroad company or entity providing rail passenger service not sound  
14 a whistle or horn in that municipality between the hours of 7:00 p.m.  
15 and 7:00 a.m., but instead require that a bell weighing not less than 30  
16 pounds be rung between such hours at such grade crossing location as  
17 required by subsection a. of this section, except that notwithstanding  
18 this requirement an operator shall not be subject to a penalty for  
19 sounding a whistle or horn in an emergency.

20 c. With respect to that portion of a rail passenger line located in a  
21 county of the first class having a population more than 825,000,  
22 according to the most recent federal decennial census, running through  
23 a municipality having a population between 30,530 and 30,560,  
24 according to the most recent federal decennial census, a municipality  
25 having a population between 9,850 and 9,900, according to the most  
26 recent federal decennial census, a municipality having a population  
27 between 10,870 and 10,900, according to the most recent federal  
28 decennial census, a municipality having a population between 3,900  
29 and 3,950, according to the most recent federal decennial census, a  
30 municipality having a population between 17,890 and 17,920,  
31 according to the most recent federal decennial census, a municipality  
32 having a population between 7,030 and 7,060, according to the most  
33 recent federal decennial census, a municipality having a population  
34 between 11,980 and 12,020, according to the most recent federal  
35 decennial census, a municipality having a population between 24,140  
36 and 24,170, according to the most recent federal decennial census, a  
37 municipality having a population between 9,755 and 9,760, according  
38 to the most recent federal decennial census, a municipality having a  
39 population between 9,230 and 9,260, according to the most recent  
40 federal decennial census, and a municipality having a population  
41 between 15,360 and 15,400, according to the most recent federal  
42 decennial census, upon application of a municipality in which a grade  
43 crossing of such line is located, the Commissioner of Transportation  
44 shall require that a railroad company or entity providing rail passenger  
45 service not sound a whistle or horn in that municipality between the  
46 hours of 7:00 p.m. and 7:00 a.m., but instead require that a bell

1 weighing not less than 30 pounds be rung between such hours at any  
2 such grade crossing location, except that notwithstanding this  
3 requirement, an operator shall not be subject to a penalty for sounding  
4 a whistle or horn in an emergency.

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

6  
7 2. This act shall take effect immediately.

8  
9  
10 STATEMENT

11  
12 This bill directs the Commissioner of Transportation, upon  
13 application from certain municipalities in a county of the second class  
14 which has a population between 420,000 and 425,000, according to  
15 the most recent federal decennial census, and upon application from  
16 certain municipalities in a county of the first class which has a  
17 population more than 825,000, according to the most recent federal  
18 decennial census, to require a railroad company or entity providing rail  
19 passenger service not to sound a whistle or horn at a grade crossing  
20 in that municipality between the hours of 7:00 p.m. and 7:00 a.m.  
21 Instead of sounding a horn, the bill states that the commissioner shall  
22 require that a bell weighing 30 pounds or more be rung at the grade  
23 crossing between those hours. The bill provides that an operator of a  
24 train shall not be subject to a penalty for sounding a whistle or horn in  
25 an emergency.

**ASSEMBLY BILL NO. 2386  
(SECOND REPRINT)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Assembly Bill No. 2386 (Second Reprint) with my recommendations for reconsideration.

**SUMMARY OF THE BILL**

The bill directs the Commissioner of Transportation, upon application from certain municipalities, to require a railroad company or entity providing rail passenger service to ring a bell, instead of sounding a whistle or horn, when approaching and traveling through a grade crossing. The bell would be required to be sounded between 7:00 p.m. and 7:00 a.m.

**RECOMMENDED ACTION**

This bill is intended to provide relief to the individuals that reside near various rail lines in the State from the noise of whistles and horns sounded by trains at grade crossings. I agree with the bill's intent, but have been advised that this issue is not one completely within the State's domain. Indeed, the Federal Railroad Administration is currently studying the issue and is expected to propose regulations that will allow for the use of supplementary safety measures at grade crossings. A supplementary safety measure is a safety system or procedure that is intended to be an effective substitute for the train whistle or horn. For example, a traffic control arrangement that prevents careless movement over a grade crossing through the use of median barriers may be considered a supplementary safety measure.

Since this issue is one that will ultimately be regulated by the federal government, I recommend that the provision in the bill allowing for the immediate use of bells at certain grade crossings be amended so that it does not become effective until the adoption of the federal regulations.

Additionally, I recommend that the bill be supplemented with language that will allow for the Commissioner of Transportation to immediately proceed with a pilot demonstration program that implements the use of potential supplementary safety measures. In anticipation of the eventual adoption of the federal regulations, this provision will allow the Commissioner of Transportation to study the effectiveness of such measures at a limited number of grade crossings. Also, by allowing for the use of supplementary safety measures, the establishment of a pilot demonstration program may also provide more immediate relief for individuals from the sounding of train whistles or horns at grade crossings. A pilot demonstration program will be required to be carried out in consultation with the Federal Railroad Administration and the freight and passenger railroads selected for the program.

Accordingly, I herewith return Assembly Bill No. 2386 (Second Reprint) and recommend that it be amended as follows:

- Page 2, Title, Line 1: Delete "R.S. 48:12-57" and Insert "and supplementing Title 48 of the Revised Statutes"
- Page 4, Section 2, Line 9: Delete section 2 in its entirety
- Page 4, Section 2, Line 9: Insert new section 2 to read as follows: "2. (New Section) The Commissioner of Transportation may immediately proceed with a pilot demonstration program implementing the use of potential supplementary safety measures, in anticipation of the adoption of federal regulations establishing supplementary safety measures, for the purpose of studying the effectiveness of such measures at a limited number of grade crossings within the State, not to exceed 10 in total. The study, conducted pursuant to the pilot demonstration program, shall consider traffic and operational data, accident information, quality of life considerations, and overall safety at the selected grade crossings. The pilot demonstration program shall be carried out in consultation with the Federal Railroad Administration and the freight and passenger railroads selected for the program. The grade crossings selected for the pilot demonstration program shall be at the discretion of the Commissioner of Transportation."



Page 4, Section 2, Line 9:

Insert new section 3 to read as follows: "3. Section 1 of this act shall take effect upon the effective date of regulations promulgated by the Secretary of Transportation pursuant to section 20153 of Title 49, United States Code (49 U.S.C. s.20153) and section 2 of this act shall take effect immediately."

Respectfully,

Christine Todd Whitman  
Governor

Attest:

Richard S. Mroz  
Chief Counsel to the Governor

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Gene Herman  
609-777-2600

RELEASE: January 10, 2000

Gov. Christie Whitman today conditionally vetoed the following pieces of legislation. The Governor's conditional veto messages are attached.

**A-2386**, sponsored by Assembly Members Alex DeCroce (R-Essex/Morris/Passaic) and Richard A. Merkt (R-Morris) and Senators Henry P. McNamara (R-Bergen/Passaic) and Anthony R. Bucco (R-Morris), which would have directed the Commissioner of Transportation, upon application from certain municipalities, to require a railroad company or entity providing rail passenger service to sound a bell only at the grade crossing.

**S-1326**, sponsored by Senators Henry P. McNamara (R-Bergen/Passaic) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Assembly Member Nicholas R. Felice (R-Bergen/Passaic), which would have appropriated \$2.5 million from the General Fund to the Department of Environmental Protection for dredging the New Jersey portion of Greenwood Lake. The lake is located in Passaic County and in Orange County, N. Y.

**A-3410**, sponsored by Assembly Members Bob Smith (D-Middlesex/Somerset/Union) and Leonard Lance (R-Warren/Hunterdon/Mercer) and Senator John A. Lynch (D-Middlesex/Somerset/Union), which would have authorized municipalities to establish grant programs to provide relief to certain real property owners for damages from floods, hurricanes and other natural disasters.

**A-2773**, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and David W. Wolfe (R-Monmouth/Ocean) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Bernard F. Kenny, Jr. (D-Hudson), which would have provided additional State aid to support full-day kindergarten programs in charter schools located in Abbott districts.

**S-456**, sponsored by Senator Ronald L. Rice (D-Essex) and Assembly Members Craig A. Stanley (D-Essex) and Wilfredo Caraballo (D-Essex), which would have increased the number of public members of the New Jersey Housing and Mortgage Finance Agency (NJHMFA).

**SCS for S-1196, 1197 and 1221**, sponsored by Senators Louis F. Kosco (R-Bergen), Wayne R. Bryant (D-Camden/Gloucester) and Garry J. Furnari (D-Bergen/Essex/Passaic) and Assembly Members Neil M. Cohen (D-Union) and Paul DiGaetano (R-Bergen/Essex/Passaic), which would have amended the Check Cashing Regulatory Act, and made it a crime to cash a check for consideration without a license. It would have also required the revocation of a license under certain circumstances and would have

amended the Casino Control Act to require casino licensees to file a suspicious transaction report.

**A-1951**, sponsored by Assembly Members Carol R. Murphy (R-Essex/Morris/Passaic) and Alex DeCroce (R-Essex/Morris/Passaic) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Anthony R. Bucco (R-Morris), which would have provided for an unlimited length of stay in free-standing special care nursing facilities for certain Medicaid recipients.

**A-1647**, sponsored by Assembly Members Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Kenneth C. LeFevre (R-Atlantic) and Senators Robert E. Littell (R-Sussex/Hunterdon/Morris) and Jack Sinagra (R-Middlesex), which would have permitted self-employed business partners to be eligible for workers' compensation.

**S-1533**, sponsored by Senator Gerald Cardinale (R-Bergen) and Assemblyman Nicholas R. Felice (R-Bergen/Passaic), which would have prohibited health insurers that provide prescription benefits from imposing different terms and conditions based on type of pharmacy.

**S-1506**, sponsored by Senators Donald T. DiFrancesco (R-Middlesex/Somerset and Union) and Byron M. Baer (D-Bergen) and Assembly Members Nicholas R. Felice (R-Bergen/Passaic) and Joseph V. Doria, Jr. (D-Hudson), which would have allowed for a hospital to be designated as a children's hospital based on criteria of the National Association of Children's Hospitals and Related Institutions.

**S-286**, sponsored by Senators John A. Girgenti (D-Passaic) and Louis F. Kosco (R-Bergen) and Assembly Members Michael Patrick Carroll (R-Morris) and Nicholas J. Sacco (D-Bergen/Hudson), which would have eased the conditions for trial of certain juvenile offenders as adults. The bill would have given prosecutors the discretion to elect to waive certain serious juvenile cases to adult court without requiring judicial approval.

**A-2640**, sponsored by Assembly Members Paul Kramer (R-Mercer/Middlesex) and Barbara Wright (R-Mercer/Middlesex) and Senator Peter A. Inverso (R-Mercer/Middlesex), which would have authorized criminal background checks for youth agency employees and volunteers.