

2C:33-14

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2005 **CHAPTER:** 96

NJSA: 2C:33-14 (Regulates certain devices which interfere with traffic control signals)

BILL NO: A649 (Substituted for S1969)

SPONSOR(S): Stender and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Transportation
SENATE:

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** December 13, 2004

SENATE: May 12, 2005

DATE OF APPROVAL: June 15, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (2nd reprint enacted)

A649

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

S1969

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 6/1/07

P.L. 2005, CHAPTER 96, *approved June 15, 2005*
Assembly, No. 649 (*Second Reprint*)

1 **AN ACT** concerning the possession ¹[of any device which controls
2 traffic signals] and use of certain devices which interfere with
3 traffic control signals, amending N.J.S.2C:33-14¹ and
4 supplementing ¹[Title 39 of the Revised Statutes] Title 2A of the
5 New Jersey Statutes¹.
6

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

9
10 ¹[1. a. As used in this section, "traffic control preemption device"
11 means any infrared transmitter or other device designed to preempt an
12 official traffic control device.

13 b. It shall be unlawful for any person to knowingly possess a traffic
14 control preemption device.

15 c. The provisions of this section shall not apply to:

16 (1) Any dealer lawfully authorized to sell a traffic control
17 preemption device;

18 (2) The operator of an authorized emergency vehicle; or

19 (3) Any other organization or person deemed appropriate by
20 the administrator pursuant to rules and regulations promulgated in
21 accordance with the "Administrative Procedure Act," P.L.1968, c.410
22 (C.52:14B-1 et seq.).

23 d. Any person violating the provisions of this act shall be subject
24 to a fine of \$5,000.]¹
25

26 ¹1. N.J.S.2C:33-14 is amended to read as follows:

27 2C:33-14. a. Interference with Transportation. A person is guilty of
28 interference with transportation if the person purposely or knowingly:

29 (1) casts, shoots or throws anything at, against or into any vehicle,
30 railroad car, trolley car, subway car, ferry, airplane, or other facility of
31 transportation; or

32 (2) casts, shoots, throws or otherwise places any stick, stone,
33 object or other substance upon any street railway track, trolley track
34 or railroad track ;or

35 (3) endangers or obstructs the safe operation of motor vehicles by
36 casting, shooting, throwing or otherwise placing any stick, stone,
37 object or other substance upon any highway or roadway; or

38 (4) unlawfully climbs into or upon any railroad car, either in

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 September 30, 2004.

² Assembly floor amendments adopted November 15, 2004.

1 motion or standing on the track of any railroad company in this State;
2 or

3 (5) unlawfully disrupts, delays or prevents the operation of any
4 train, bus, jitney, trolley, subway, airplane or any other facility of
5 transportation. The term "unlawfully disrupts, delays or prevents the
6 operation of" does not include non-violent conduct growing out of a
7 labor dispute as defined in N.J.S.2A:15-58; or

8 (6) endangers or obstructs the safe operation of motor vehicles by
9 using a traffic control preemption device to interfere with or impair the
10 operation of a traffic control signal as defined in R.S.39:1-1.

11 As used in this subsection, "traffic control preemption device"
12 means an infrared transmitter or other device which transmits an
13 infrared beam, radio wave or other signal designed to change, alter, or
14 disrupt in any manner the normal operation of a traffic control signal.

15 b. Interference with transportation is a disorderly persons offense.

16 c. Interference with transportation is a crime of the fourth degree
17 if the person purposely, knowingly or recklessly causes bodily injury
18 to another person or causes pecuniary loss in excess of \$500 but less
19 than \$2000.

20 d. Interference with transportation is a crime of the third degree
21 if the person purposely, knowingly or recklessly causes significant
22 bodily injury to another person or causes pecuniary loss of \$2000 or
23 more, or if the person purposely or knowingly creates a risk of
24 significant bodily injury to another person.

25 e. Interference with transportation is a crime of the second degree
26 if the person purposely, knowingly or recklessly causes serious bodily
27 injury to another person.¹

28 (cf: P.L.2001, c.413, s.2)

29

30 ¹2. (New section) a. As used in this section:

31 "Traffic control preemption device" means an infrared transmitter
32 or other device which transmits an infrared beam, radio wave or other
33 signal designed to change, alter, or disrupt in any manner the normal
34 operation of a traffic control signal.

35 b. It shall be unlawful for any person to knowingly possess a traffic
36 control preemption device.

37 c. The provisions of this section shall not apply to ²[any dealer
38 lawfully authorized to sell a traffic control preemption device, or
39 to](1)² emergency services personnel which shall include, but not be
40 limited to, any paid or volunteer fireman, any person engaged in
41 emergency first-aid or medical services and any law enforcement
42 officer, while in the actual performance of that person's official duties
43 ², or (2) an employee or agent of a traffic control preemption device
44 manufacturer or retailer in the course of his employment in providing,
45 selling, manufacturing, or transporting a traffic control preemption
46 device to emergency services personnel listed in this subsection².

1 d. Any person violating the provisions of this section shall be
2 subject to a civil penalty of up to \$5,000. Any such civil penalty
3 imposed may be collected with costs in a summary proceeding
4 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274
5 (C.2A:58-10 et seq.). The Superior Court and the municipal court
6 shall have jurisdiction to enforce the provisions of the "Penalty
7 Enforcement Law of 1999" in connection with this section.¹

8

9 ¹[2.] 3.¹ This act shall take effect on the first day of the third
10 month after enactment.

11

12

13

14

15 Regulates certain devices which interfere with traffic control signals.

ASSEMBLY, No. 649

STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblyman JOSEPH J. ROBERTS, JR.

District 5 (Camden and Gloucester)

SYNOPSIS

Regulates possession of traffic control preemption device.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2004)

1 AN ACT concerning the possession of any device which controls traffic
2 signals and supplementing Title 39 of the Revised Statutes.

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

6
7 1. a. As used in this section, "traffic control preemption device"
8 means any infrared transmitter or other device designed to preempt an
9 official traffic control device.

10 b. It shall be unlawful for any person to knowingly possess a traffic
11 control preemption device.

12 c. The provisions of this section shall not apply to:

13 (1) Any dealer lawfully authorized to sell a traffic control
14 preemption device;

15 (2) The operator of an authorized emergency vehicle; or

16 (3) Any other organization or person deemed appropriate by
17 the administrator pursuant to rules and regulations promulgated in
18 accordance with the "Administrative Procedure Act," P.L.1968, c.410
19 (C.52:14B-1 et seq.).

20 d. Any person violating the provisions of this act shall be subject
21 to a fine of \$5,000.

22
23 2. This act shall take effect on the first day of the third month after
24 enactment.

25

26

27

STATEMENT

28

29 This bill makes it unlawful to possess any device which preempts
30 traffic signals. An exception is afforded operators of emergency
31 vehicles, authorized dealers and any organization or person as deemed
32 appropriate by the Administrator of the New Jersey Motor Vehicle
33 Commission. This bill was drafted in response to the emergence of
34 low cost devices which can change some traffic signals from red to
35 green. The technology to change traffic lights was originally used by
36 police, fire and other emergency workers to clear intersections. Due
37 to the decreased cost of these devices, private citizens have been able
38 to purchase them and preempt traffic signals. The use of these devices
39 by unauthorized individuals is very dangerous.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 649

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 2004

The Assembly Transportation Committee reports favorably and with committee amendments Assembly Bill No. 649.

As amended, this bill sets criminal penalties for the use of and civil penalties for the possession of a traffic control preemption device to interfere with or impair the operation of a traffic control signal. A person who purposely or knowingly endangers or obstructs the safe operation of motor vehicles by using a traffic control preemption device to interfere with or impair the operation of a traffic control signal is guilty of a disorderly persons offense. A person who purposely, knowingly or recklessly causes bodily injury to another person or causes pecuniary loss in excess of \$500 but less than \$2000 by using a traffic control preemption device to interfere with or impair the operation of a traffic control signal is guilty of a crime of the fourth degree. The criminal penalty for this offense increases with the severity of the act.

An unauthorized person in possession of a traffic control preemption device shall be subject to a civil penalty not to exceed \$5,000. The provisions of this bill are not applicable to any dealer lawfully authorized to sell a traffic control preemption device, or to emergency services personnel, including, any paid or volunteer fireman, any person engaged in emergency first-aid or medical services and any law enforcement officer, while in the actual performance of that person's official duties.

The amended bill defines traffic control preemption device as an infrared transmitter or other device which transmits an infrared beam, radio wave or other signal designed to change, alter, or disrupt in any manner the normal operation of a traffic control signal.

COMMITTEE AMENDMENTS

The committee amended the bill to set criminal penalties for the use of a traffic control preemption device in addition to civil penalties for the possession of a traffic control preemption device.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 649

with Assembly Floor Amendments
(Proposed By Assemblywoman STENDER)

ADOPTED: NOVEMBER 15, 2004

These Assembly floor amendments clarify that the exception to the bill's prohibition on the possession of a traffic control preemption device for a dealer is limited to an employee or agent of a traffic control signal preemption device manufacturer or retailer in the course of his employment in providing, selling, manufacturing, or transporting a traffic control signal preemption device to emergency service personnel as provided for in the bill.

SENATE, No. 1969

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED OCTOBER 18, 2004

Sponsored by:

Senator PAUL SARLO

District 36 (Bergen, Essex and Passaic)

Senator JOSEPH A. PALAIA

District 11 (Monmouth)

SYNOPSIS

Regulates possession of traffic control preemption device.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/26/2004)

1 AN ACT concerning the possession of any device which controls traffic
2 signals and supplementing Title 39 of the Revised Statutes.

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

6
7 1. a. As used in this section, "traffic control preemption device"
8 means any infrared transmitter or other device designed to preempt an
9 official traffic control device.

10 b. It shall be unlawful for any person to knowingly possess a traffic
11 control preemption device.

12 c. The provisions of this section shall not apply to:

13 (1) Any dealer lawfully authorized to sell a traffic control
14 preemption device;

15 (2) The operator of an authorized emergency vehicle; or

16 (3) Any other organization or person deemed appropriate by the
17 administrator pursuant to rules and regulations promulgated in
18 accordance with the "Administrative Procedure Act," P.L.1968, c.410
19 (C.52:14B-1 et seq.).

20 d. Any person violating the provisions of this act shall be subject
21 to a fine of \$5,000.

22
23 2. This act shall take effect on the first day of the third month after
24 enactment.

25

26

27

STATEMENT

28

29 This bill makes it unlawful to possess any device which preempts
30 traffic signals. An exception is afforded operators of emergency
31 vehicles, authorized dealers and any organization or person as deemed
32 appropriate by the Administrator of the New Jersey Motor Vehicle
33 Commission. This bill was drafted in response to the emergence of
34 low cost devices which can change some traffic signals from red to
35 green. The technology to change traffic lights was originally used by
36 police, fire and other emergency workers to clear intersections. Due
37 to the decreased cost of these devices, private citizens have been able
38 to purchase them and preempt traffic signals. The use of these devices
39 by unauthorized individuals is very dangerous.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1969

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2004

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 1969.

As amended, this bill sets criminal penalties for the use of and civil penalties for the possession of a traffic control preemption device to interfere with or impair the operation of a traffic control signal. The amended bill defines traffic control preemption device as an infrared transmitter or other device which transmits an infrared beam, radio wave or other signal designed to change, alter, or disrupt in any manner the normal operation of a traffic control signal.

A person who purposely or knowingly endangers or obstructs the safe operation of motor vehicles by using a traffic control preemption device to interfere with or impair the operation of a traffic control signal is guilty of a disorderly persons offense. A person who purposely, knowingly or recklessly causes bodily injury to another person or causes pecuniary loss in excess of \$500 but less than \$2000 by using a traffic control preemption device to interfere with or impair the operation of a traffic control signal is guilty of a crime of the fourth degree. The criminal penalty for this offense increases with the severity of the act. An unauthorized person in possession of a traffic control preemption device shall be subject to a civil penalty not to exceed \$5,000.

The provisions of this bill are not applicable to (1) emergency services personnel, including, but not limited to, any paid or volunteer fireman, any person engaged in emergency first-aid or medical services and any law enforcement officer, while in the actual performance of that person's official duties or (2) an employee or agent of a traffic control preemption device manufacturer or retailer in the course of his employment in providing, selling, manufacturing, or transporting a traffic control preemption device to the emergency services personnel listed in the bill.

The committee amended the bill to clarify the definition of a traffic control preemption device and the definition of emergency services personnel. The committee also amended the bill to provide that an employee or agent of a traffic control preemption device manufacturer

or retailer may lawfully possess a traffic control preemption device under certain circumstances. Finally, the committee amended the bill to set criminal penalties for the use of a traffic control preemption device in addition to civil penalties for the possession of a traffic control preemption device.

With these amendments, the bill is identical to A-649 (2R) of 2004.