

40:67-16.5a

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 213

NJSA: 40:67-16.5a (Authorizes increased fines for certain trucks violating route ordinances on steep grades)

BILL NO: A3096 (Substituted for S2611)

SPONSOR(S): Stender and others

DATE INTRODUCED: June 24, 2004

COMMITTEE: **ASSEMBLY:** Transportation
SENATE:

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 20, 2005

SENATE: June 30, 2005

DATE OF APPROVAL: August 29, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)

A3096

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

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

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2611

[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:

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HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 10/15/07

P.L. 2005, CHAPTER 213, *approved August 29, 2005*
Assembly, No. 3096 (*First Reprint*)

1 **AN ACT** authorizing municipalities to increase fines for certain trucks
2 violating truck route ordinances and supplementing Title 40 of the
3 Revised Statutes.

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

7
8 1. Notwithstanding the provisions of any other law to the contrary,
9 a municipality with a system of truck routes established by ordinance
10 pursuant to P.L.1953, c.354 (C. 40:67-16.1 et seq.) that excludes all
11 trucks having a total combined gross weight in excess of four tons
12 from certain municipal streets may, by ordinance, increase the
13 penalties for violating the truck route ordinance while traveling on a
14 street or road having a grade in excess of five percent as follows:

15 a. for a first violation a fine of not less than ¹~~[\$1,000]~~ \$2,500¹ or
16 more than ¹~~[\$1,500]~~ \$3,000¹, and

17 b. for second or subsequent violations a fine of not less than
18 \$4,000 or more than \$5,000.

19 ¹A municipality that adopts an ordinance to increase penalties in
20 accordance with this section shall place signs in appropriate locations
21 to warn truck drivers in advance that a road grade in excess of five
22 percent is ahead, that trucks in excess of four tons are prohibited from
23 traveling on the grade, and that increased fines will be imposed for a
24 violation of the prohibition.¹

25
26 2. This act shall take effect immediately.

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31 Authorizes increased fines for certain trucks violating truck route
32 ordinances on steep grades.

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 May 5, 2005.

ASSEMBLY, No. 3096

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED JUNE 24, 2004

Sponsored by:

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Authorizes increased fines for certain trucks violating truck route ordinances on steep grades.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT authorizing municipalities to increase fines for certain trucks
2 violating truck route ordinances and supplementing Title 40 of the
3 Revised Statutes.

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

7
8 1. Notwithstanding the provisions of any other law to the contrary,
9 a municipality with a system of truck routes established by ordinance
10 pursuant to P.L.1953, c.354 (C. 40:67-16.1 et seq.) that excludes all
11 trucks having a total combined gross weight in excess of four tons
12 from certain municipal streets may, by ordinance, increase the
13 penalties for violating the truck route ordinance while traveling on a
14 street or road having a grade in excess of five percent as follows:

- 15 a. for a first violation a fine of not less than \$1,000 or more than
16 \$1,500, and
17 b. for second or subsequent violations a fine of not less than
18 \$4,000 or more than \$5,000.

19
20 2. This act shall take effect immediately.

21
22
23 STATEMENT

24
25 Under current statutory law, municipalities may establish, by
26 ordinance, a system of truck routes which prohibit trucks having a
27 total combined gross weight in excess of four tons from all streets in
28 such municipality, except from those streets which form a part of the
29 system of truck routes.

30 This bill authorizes municipalities to increase the penalty for a truck
31 traveling on a portion of a street which is not part of the truck routes
32 that has a steep slope with a grade in excess of five percent. A truck
33 on a steep slope can lose its brakes or otherwise lose control resulting
34 in a serious accident. An example of this problem is the steep section
35 of Warrenville Road between Route 22 in Green Brook and Mountain
36 Boulevard in Warren, New Jersey. The hill has been the site of
37 numerous serious accidents in which trucks have gone down the hill
38 out of control and hit other vehicles or overturned. Although the hill
39 has signs posted to warn truckers of the four ton weight limit and the
40 steep slope, the section of road averages at least one crash per week.

41 This bill will allow municipalities to pass ordinances to increase the
42 fines imposed for violating their truck route ordinances when the
43 violation occurs on a street or road with a grade in excess of five
44 percent. The fine for a first violation would be not less than \$1,000
45 or more than \$1,500. The fine for second or subsequent violations
46 would be not less than \$4,000 or more than \$5,000. These increased

A3096 STENDER

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- 1 fines would reflect the increased risk to public safety caused by
- 2 violating the truck weight limits on roads with steep grades.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3096

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 2005

The Assembly Transportation Committee reports favorably and with committee amendments Assembly Bill No. 3096.

Under current statutory law, municipalities may establish, by ordinance, a system of truck routes which prohibits trucks having a total combined gross weight in excess of four tons from all streets in such municipality, except from those streets which form a part of the system of truck routes.

This amended bill will allow a municipality to pass an ordinance to increase the fine imposed for violating its truck route ordinances when the violation occurs on a street or road with a grade in excess of five percent. A heavy truck on a steep slope can lose its brakes or otherwise lose control, resulting in a serious accident. The higher fines reflect the increased risk to public safety caused by violating the truck weight limits on roads with steep grades.

In general, a municipality is limited by statute in setting the fine imposed for a violation of an ordinance to at least \$100 with a maximum of \$1,250 and an additional fine for a repeat offense within one year. Under the provisions of this bill as amended, the municipality may set the fine for a first violation involving a heavy truck on a steep slope at not less than \$2,500 or more than \$3,000. The fine for a second or subsequent such violation would be not less than \$4,000 or more than \$5,000. There is no requirement that a second or subsequent violation be within one year of a prior violation.

The bill requires that when a municipality adopts an ordinance increasing the penalties for a prohibited truck traveling on a steep grade in accordance with the bill, the municipality must place signs in appropriate locations to warn truck drivers in advance that a steep grade is ahead, that trucks in excess of four tons are prohibited from traveling on the steep grade, and that increased fines will be imposed for a violation of the prohibition.

COMMITTEE AMENDMENTS

The Committee amended the bill to change the fine for a first violation from a range of \$1,000 to \$1,500 to a range of \$2,500 to \$3,000 and to require a municipality which adopts an ordinance in

accordance with the bill to put up signs warning truck drivers about the steep slope, the prohibition on heavy trucks, and the increased fines.

SENATE, No. 2611

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED JUNE 9, 2005

Sponsored by:

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

Senator NICHOLAS SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Authorizes increased fines for certain trucks violating truck route ordinances on steep grades.

CURRENT VERSION OF TEXT

As introduced.



S2611 KARCHER, SCUTARI

2

1 AN ACT authorizing municipalities to increase fines for certain trucks
2 violating truck route ordinances and supplementing Title 40 of the
3 Revised Statutes.

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

7
8 1. Notwithstanding the provisions of any other law to the contrary,
9 a municipality with a system of truck routes established by ordinance
10 pursuant to P.L.1953, c.354 (C. 40:67-16.1 et seq.) that excludes all
11 trucks having a total combined gross weight in excess of four tons
12 from certain municipal streets may, by ordinance, increase the
13 penalties for violating the truck route ordinance while traveling on a
14 street or road having a grade in excess of five percent as follows:

15 a. for a first violation a fine of not less than \$2,500 or more than
16 \$3,000, and

17 b. for second or subsequent violations a fine of not less than
18 \$4,000 or more than \$5,000.

19 A municipality that adopts an ordinance to increase penalties in
20 accordance with this section shall place signs in appropriate locations
21 to warn truck drivers in advance that a road grade in excess of five
22 percent is ahead, that trucks in excess of four tons are prohibited from
23 traveling on the grade, and that increased fines will be imposed for a
24 violation of the prohibition.

25
26 2. This act shall take effect immediately.

27
28
29 STATEMENT

30
31 Under current statutory law, municipalities may establish, by
32 ordinance, a system of truck routes which prohibits trucks having a
33 total combined gross weight in excess of four tons from all streets in
34 such municipality, except from those streets which form a part of the
35 system of truck routes.

36 This bill will allow a municipality to pass an ordinance to increase
37 the fine imposed for violating its truck route ordinances when the
38 violation occurs on a street or road with a grade in excess of five
39 percent. A heavy truck on a steep slope can lose its brakes or
40 otherwise lose control, resulting in a serious accident. The higher
41 fines reflect the increased risk to public safety caused by violating the
42 truck weight limits on roads with steep grades.

43 In general, a municipality is limited by statute in setting the fine
44 imposed for a violation of an ordinance to at least \$100 with a
45 maximum of \$1,250 and an additional fine for a repeat offense within
46 one year. Under the provisions of this bill, the municipality may set

S2611 KARCHER, SCUTARI

1 the fine for a first violation involving a heavy truck on a steep slope
2 at not less than \$2,500 or more than \$3,000. The fine for a second or
3 subsequent such violation would be not less than \$4,000 or more than
4 \$5,000. There is no requirement that a second or subsequent violation
5 be within one year of a prior violation.

6 The bill requires that when a municipality adopts an ordinance
7 increasing the penalties for a prohibited truck traveling on a steep
8 grade in accordance with the bill, the municipality must place signs in
9 appropriate locations to warn truck drivers in advance that a steep
10 grade is ahead, that trucks in excess of four tons are prohibited from
11 traveling on the steep grade, and that increased fines will be imposed
12 for a violation of the prohibition.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2611

STATE OF NEW JERSEY

DATED: JUNE 16, 2005

The Senate Transportation Committee reports favorably Senate Bill No. 2611.

Under current statutory law, municipalities may establish, by ordinance, a system of truck routes which prohibits trucks having a total combined gross weight in excess of four tons from all streets in such municipality, except from those streets which form a part of the system of truck routes.

This bill will allow a municipality to pass an ordinance to increase the fine imposed for violating its truck route ordinances when the violation occurs on a street or road with a grade in excess of five percent. A heavy truck on a steep slope can lose its brakes or otherwise lose control, resulting in a serious accident. The higher fines reflect the increased risk to public safety caused by violating the truck weight limits on roads with steep grades.

In general, a municipality is limited by statute in setting the fine imposed for a violation of an ordinance to at least \$100 with a maximum of \$1,250 and an additional fine for a repeat offense within one year. Under the provisions of this bill, the municipality may set the fine for a first violation involving a heavy truck on a steep slope at not less than \$2,500 or more than \$3,000. The fine for a second or subsequent such violation would be not less than \$4,000 or more than \$5,000. There is no requirement that a second or subsequent violation be within one year of a prior violation.

The bill requires that when a municipality adopts an ordinance increasing the penalties for a prohibited truck traveling on a steep grade in accordance with the bill, the municipality must place signs in appropriate locations to warn truck drivers in advance that a steep grade is ahead, that trucks in excess of four tons are prohibited from traveling on the steep grade, and that increased fines will be imposed for a violation of the prohibition.