



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

RWH 4/25/08

P.L. 2007, CHAPTER 84, *approved May 4, 2007*  
Assembly, No. 2196 (*First Reprint*)

1 AN ACT concerning receipt of federal funds under the “New Jersey  
2 Highway Traffic Safety Act of 1987” and amending P.L.1987,  
3 c.284.  
4

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

8 1. Section 3 of P.L 1987, c.284 (C.27:5F-20) is amended to read  
9 as follows:

10 3. As used in this act:

11 a. "State highway traffic safety program" means all highway  
12 traffic safety programs conducted by the State [and] , political  
13 subdivisions of the State, and <sup>1</sup>**[certain] qualifying** nonprofit  
14 organizations.

15 b. "Local highway traffic safety program" means a highway  
16 traffic safety program established or submitted to the Governor by a  
17 political subdivision and <sup>1</sup>**[certain] qualifying** nonprofit  
18 organizations pursuant to the provisions of this act.

19 c. "Political subdivision" means any local political subdivision  
20 of this State, including but not limited to a municipality, a county, a  
21 township, a district, or a special district.

22 d. "Governor" means the Governor of the State of New Jersey.

23 e. "Director" shall mean the Director of the Office of Highway  
24 Traffic Safety of the State of New Jersey.

25 f. "Volunteer first aid, rescue and ambulance squad" means a  
26 first aid, rescue and ambulance squad which provides emergency  
27 medical services without receiving payment for those services.

28 g. "Nonvolunteer first aid, rescue and ambulance squad" means  
29 a first aid, rescue and ambulance squad which provides emergency  
30 medical services on a paid basis.

31 h. “Nonprofit organization” means a nonprofit organization  
32 which provides services throughout the State and is tax exempt  
33 under section 501(c)(3) of the federal Internal Revenue Code (26  
34 U.S.C. s.501(c)(3)), and is not a private foundation as defined in  
35 section 509(a) of the federal Internal Revenue Code (26 U.S.C.  
36 s.509(a)).

37 (cf: P.L.1987, c.284, s.3)  
38

39 2. Section 4 of P.L.1987, c.284 (C.27:5F-21) is amended to read  
40 as follows:

41 4. a. The Governor shall coordinate the highway traffic safety  
42 activities of State and local agencies, other public and private  
43 agencies, <sup>1</sup>nonprofit organizations,<sup>1</sup> and interested organizations

**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 ALP committee amendments adopted June 12, 2006.

1 and individuals and shall be the official of this State having the  
 2 ultimate responsibility of dealing with the federal government with  
 3 respect to the State highway traffic safety program. In order to  
 4 effectuate the purposes of this act he shall:

5 (1) Prepare for this State, the New Jersey Highway Traffic  
 6 Safety Program which shall consist of a comprehensive plan in  
 7 conformity with the laws of this State to reduce traffic accidents  
 8 and deaths, injuries, and property damage resulting therefrom.

9 (2) Promulgate rules and regulations establishing standards and  
 10 procedures relating to the content, coordination, submission, and  
 11 approval of local highway traffic safety programs.

12 (3) Contract and do all things necessary or convenient on behalf  
 13 of the State in order to insure that all departments of State  
 14 **【Government and】** government, local political subdivisions and  
 15 nonprofit organizations<sup>1</sup>, to the extent that nonprofit organizations  
 16 qualify for highway traffic safety grants pursuant to the provisions  
 17 of section 6 of P.L. , c. (C. )(pending before the Legislature  
 18 as this bill),<sup>1</sup> secure the full benefits available under the "U.S.  
 19 Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. s.s. 401-  
 20 404), and any acts amendatory or supplementary thereto.

21 (4) Adopt training programs, guidelines and standards for  
 22 members of nonvolunteer first aid, rescue and ambulance squads  
 23 providing emergency medical service programs.

24 b. The New Jersey Highway Traffic Safety Program, and rules  
 25 and regulations, training programs, guidelines, and standards shall  
 26 comply with uniform standards promulgated by the United States  
 27 Secretary of Transportation in accordance with the "U.S. Highway  
 28 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. <sup>1</sup>**【s.s.】** ss.<sup>1</sup> 401-  
 29 404), and any acts amendatory or supplementary thereto.

30 (cf: P.L.1987, <sup>1</sup>**【c.283】** 284<sup>1</sup>, s.4)

31

32 3. Section 6 of P.L.1987, c.284 (C.27:5F-23) is amended to read  
 33 as follows:

34 6. A political subdivision or nonprofit organization shall qualify  
 35 for receipt of federal funds upon application to the Governor,  
 36 provided that:

37 a. The political subdivision or nonprofit organization submits to  
 38 the Governor a local highway traffic safety program in accordance  
 39 with and meeting the standards established and the rules and  
 40 regulations promulgated pursuant to this act.

41 b. The political subdivision or nonprofit organization submits to  
 42 the Governor any other information as may be required to carry out  
 43 the purposes of this act.

44 (cf: P.L.1987, <sup>1</sup>**【c.283】** c.284<sup>1</sup>, s.6)

45

46 4. Section 7 of P.L.1987, c.284 (C.27:5F-24) is amended to read  
 47 as follows:

1       7. The Department of the Treasury shall accept and receive any  
2 grants of money awarded to the State [and] its political  
3 subdivisions and nonprofit organizations under the "U.S. Highway  
4 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. [s.s.] ss. 401-  
5 404), and acts amendatory or supplementary thereto. All moneys so  
6 received shall be deposited by the Department of the Treasury and  
7 shall be used exclusively for establishing, administering and  
8 fulfilling highway traffic safety programs pursuant to the provisions  
9 of this act. The money shall be paid from the fund or funds upon  
10 audit and warrant of the Director, Division of Budget and  
11 Accounting, on vouchers of or certification by the Governor.  
12 (cf: P.L.1987, [c.283] c.284<sup>1</sup>, s.7)

13

14       <sup>1</sup>[5. Section 8 of P.L.1987, c.284 (C.27:5F-25) is amended to  
15 read as follows:

16       8. At least 40% of the federal funds so received, or such lesser  
17 amount as may be authorized pursuant to federal law, shall be  
18 expended by or for the benefit of political subdivisions and  
19 nonprofit organizations.

20 (cf: P.L.1987, c.283, s.8)]<sup>1</sup>

21

22       <sup>1</sup>[6.] 5.<sup>1</sup> Section 9 of P.L.1987, c.284 (C.27:5F-26) is amended  
23 to read as follows:

24       9. The Governor may also accept applications from political  
25 subdivisions and <sup>1</sup>qualifying<sup>1</sup> nonprofit organizations made on  
26 behalf of hospitals, volunteer and nonvolunteer first aid, rescue and  
27 ambulance squads, or other local entities serving a public purpose  
28 for grants of money to implement emergency medical service  
29 programs. A political subdivision or <sup>1</sup>qualifying<sup>1</sup> nonprofit  
30 organization shall submit all such applications to the Governor.

31 (cf: P.L.1987, [c. 283] c.284<sup>1</sup>, s.9)

32

33       <sup>1</sup>[7.] 6.<sup>1</sup> Section 12 of P.L.1987, c.284, (C.27:5F-29) is  
34 amended to read as follows:

35       12. a. There is hereby created an Office of Highway Traffic  
36 Safety in the Department of Law and Public Safety.

37       b. The office shall be under the immediate supervision of a  
38 director who shall be qualified to direct the work of the office. The  
39 director shall be appointed by, and serve at the pleasure of, the  
40 Governor.

41       c. The director shall:

42       (1) Administer the work of the office under the direction and  
43 supervision of the Governor and the Attorney General;

44       (2) Perform such functions, in addition to the work of the office,  
45 as the Governor may prescribe;

46       (3) Organize and reorganize the office;

- 1 (4) Assign and reassign personnel to employment within the  
2 office;
- 3 (5) Perform or cause to be performed the work of the office in  
4 the manner and pursuant to a program as he may deem necessary  
5 and appropriate;
- 6 (6) Employ as necessary the services of several departments and  
7 agencies, in a manner and to an extent as may be agreed upon by  
8 the chief executive officer of a department or agency and the  
9 Governor;
- 10 (7) Assist the localities in the development and formulation of  
11 local highway traffic safety programs;
- 12 (8) Receive and process applications from local ~~and~~ agencies,  
13 State agencies, and nonprofit organizations for highway traffic  
14 safety project grants <sup>1</sup>, provided that grants to qualifying nonprofit  
15 organizations shall be awarded only for programs approved by the  
16 director; the director shall adopt, pursuant to the “Administrative  
17 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), criteria by  
18 which a nonprofit organization shall qualify for award of grants  
19 including, but not limited to, the requirement that a nonprofit  
20 organization be operated primarily for scientific, educational,  
21 service, charitable or similar purposes in the public interest with a  
22 demonstrable record of conducting highway traffic programs and  
23 specifying the types of programs for which a nonprofit organization  
24 may be awarded a grant<sup>1</sup>; <sup>1</sup>and<sup>1</sup>
- 25 (9) Cause to be made a periodic review of local highway traffic  
26 safety programs, including training programs of first aid, rescue and  
27 ambulance squads, to insure they comply with the standards,  
28 guidelines, rules and regulations provided for by this act.  
29 (cf: P.L.1987, c.284, s.12)

30

31 <sup>1</sup>[8.] 7.<sup>1</sup> This act shall take effect <sup>1</sup>[immediately] on the first  
32 day of the 10th month following enactment, except the Director of  
33 the Office of Highway Traffic Safety may take such anticipatory  
34 administrative action in advance thereof as may be necessary for the  
35 implementation of this act and nonprofit organizations shall be  
36 eligible for the award of grants beginning with the federal fiscal  
37 year 2008 program<sup>1</sup>.

38

39

40

41

42 \_\_\_\_\_

43 Allows certain nonprofits to directly apply to Division of  
Highway Traffic Safety for federal grants.

# ASSEMBLY, No. 2196

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

**Sponsored by:**

Assemblyman **PETER J. BARNES, JR.**

District 18 (Middlesex)

Assemblyman **GORDON M. JOHNSON**

District 37 (Bergen)

**Co-Sponsored by:**

Assemblyman **Connors**

**SYNOPSIS**

Allows certain nonprofits to directly apply to Division of Highway Traffic Safety for federal grants.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/24/2006)

1 AN ACT concerning receipt of federal funds under the “New Jersey  
2 Highway Traffic Safety Act of 1987” and amending P.L.1987,  
3 c.284.

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

7  
8 1. Section 3 of P.L. 1987, c.284 (C.27:5F-20) is amended to  
9 read as follows:

10 3. As used in this act:

11 a. "State highway traffic safety program" means all highway  
12 traffic safety programs conducted by the State [and] , political  
13 subdivisions of the State, and certain nonprofit organizations.

14 b. "Local highway traffic safety program" means a highway  
15 traffic safety program established or submitted to the Governor by a  
16 political subdivision and certain nonprofit organizations pursuant to  
17 the provisions of this act.

18 c. "Political subdivision" means any local political subdivision  
19 of this State, including but not limited to a municipality, a county, a  
20 township, a district, or a special district.

21 d. "Governor" means the Governor of the State of New Jersey.

22 e. "Director" shall mean the Director of the Office of Highway  
23 Traffic Safety of the State of New Jersey.

24 f. "Volunteer first aid, rescue and ambulance squad" means a  
25 first aid, rescue and ambulance squad which provides emergency  
26 medical services without receiving payment for those services.

27 g. "Nonvolunteer first aid, rescue and ambulance squad" means  
28 a first aid, rescue and ambulance squad which provides emergency  
29 medical services on a paid basis.

30 h. “Nonprofit organization” means a nonprofit organization  
31 which provides services throughout the State and is tax exempt  
32 under section 501(c)(3) of the federal Internal Revenue Code (26  
33 U.S.C. s.501(c)(3)), and is not a private foundation as defined in  
34 section 509(a) of the federal Internal Revenue Code (26 U.S.C.  
35 s.509(a)).

36 (cf: P.L.1987, c.284, s.3)

37  
38 2. Section 4 of P.L.1987, c.284 (C.27:5F-21) is amended to read  
39 as follows:

40 4. a. The Governor shall coordinate the highway traffic safety  
41 activities of State and local agencies, other public and private  
42 agencies, and interested organizations and individuals and shall be  
43 the official of this State having the ultimate responsibility of  
44 dealing with the federal government with respect to the State

**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 highway traffic safety program. In order to effectuate the purposes  
2 of this act he shall:

3 (1) Prepare for this State, the New Jersey Highway Traffic  
4 Safety Program which shall consist of a comprehensive plan in  
5 conformity with the laws of this State to reduce traffic accidents  
6 and deaths, injuries, and property damage resulting therefrom.

7 (2) Promulgate rules and regulations establishing standards and  
8 procedures relating to the content, coordination, submission, and  
9 approval of local highway traffic safety programs.

10 (3) Contract and do all things necessary or convenient on behalf  
11 of the State in order to insure that all departments of State  
12 [Government and] government, local political subdivisions and  
13 nonprofit organizations secure the full benefits available under the  
14 "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. s.s.  
15 401-404), and any acts amendatory or supplementary thereto.

16 (4) Adopt training programs, guidelines and standards for  
17 members of nonvolunteer first aid, rescue and ambulance squads  
18 providing emergency medical service programs.

19 b. The New Jersey Highway Traffic Safety Program, and rules  
20 and regulations, training programs, guidelines, and standards shall  
21 comply with uniform standards promulgated by the United States  
22 Secretary of Transportation in accordance with the "U.S. Highway  
23 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. s.s. 401-404), and  
24 any acts amendatory or supplementary thereto.

25 (cf: P.L.1987, c.283, s.4)

26

27 3. Section 6 of P.L. 1987, c.284 (C.27:5F-23) is amended to read  
28 as follows:

29 6. A political subdivision or nonprofit organization shall qualify  
30 for receipt of federal funds upon application to the Governor,  
31 provided that:

32 a. The political subdivision or nonprofit organization submits to  
33 the Governor a local highway traffic safety program in accordance  
34 with and meeting the standards established and the rules and  
35 regulations promulgated pursuant to this act.

36 b. The political subdivision or nonprofit organization submits to  
37 the Governor any other information as may be required to carry out  
38 the purposes of this act.

39 (cf: P.L.1987, c.283, s.6)

40

41 4. Section 7 of P.L.1987, c.284 (C.27:5F-24) is amended to read  
42 as follows:

43 7. The Department of the Treasury shall accept and receive any  
44 grants of money awarded to the State [and] its political  
45 subdivisions and nonprofit organizations under the "U.S. Highway  
46 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. s.s. 401-404), and  
47 acts amendatory or supplementary thereto. All moneys so received

1 shall be deposited by the Department of the Treasury and shall be  
2 used exclusively for establishing, administering and fulfilling  
3 highway traffic safety programs pursuant to the provisions of this  
4 act. The money shall be paid from the fund or funds upon audit and  
5 warrant of the Director, Division of Budget and Accounting, on  
6 vouchers of or certification by the Governor.  
7 (cf: P.L.1987, c.283, s.7)

8  
9 5. Section 8 of P.L.1987, c.284 (C.27:5F-25) is amended to read  
10 as follows:

11 8. At least 40% of the federal funds so received, or such lesser  
12 amount as may be authorized pursuant to federal law, shall be  
13 expended by or for the benefit of political subdivisions and  
14 nonprofit organizations.  
15 (cf: P.L.1987, c.283, s.8)

16  
17 6. Section 9 of P.L.1987, c.284 (C.27:5F-26) is amended to read  
18 as follows:

19 9. The Governor may also accept applications from political  
20 subdivisions and nonprofit organizations made on behalf of  
21 hospitals, volunteer and nonvolunteer first aid, rescue and  
22 ambulance squads, or other local entities serving a public purpose  
23 for grants of money to implement emergency medical service  
24 programs. A political subdivision or nonprofit organization shall  
25 submit all such applications to the Governor.  
26 (cf: P.L.1987, c. 283, s.9)

27  
28 7. Section 12 of P.L.1987, c.284, (C.27:5F-29) is amended to  
29 read as follows:

30 12. a. There is hereby created an Office of Highway Traffic  
31 Safety in the Department of Law and Public Safety.

32 b. The office shall be under the immediate supervision of a  
33 director who shall be qualified to direct the work of the office. The  
34 director shall be appointed by, and serve at the pleasure of, the  
35 Governor.

36 c. The director shall:

37 (1) Administer the work of the office under the direction and  
38 supervision of the Governor and the Attorney General;

39 (2) Perform such functions, in addition to the work of the office,  
40 as the Governor may prescribe;

41 (3) Organize and reorganize the office;

42 (4) Assign and reassign personnel to employment within the  
43 office;

44 (5) Perform or cause to be performed the work of the office in  
45 the manner and pursuant to a program as he may deem necessary  
46 and appropriate;

47 (6) Employ as necessary the services of several departments and  
48 agencies, in a manner and to an extent as may be agreed upon by

1 the chief executive officer of a department or agency and the  
2 Governor;

3 (7) Assist the localities in the development and formulation of  
4 local highway traffic safety programs;

5 (8) Receive and process applications from local [and] agencies,  
6 State agencies, and nonprofit organizations for highway traffic  
7 safety project grants;

8 (9) Cause to be made a periodic review of local highway traffic  
9 safety programs, including training programs of first aid, rescue and  
10 ambulance squads, to insure they comply with the standards,  
11 guidelines, rules and regulations provided for by this act.

12 (cf: P.L.1987, c.284, s.12)

13

14 8. This act shall take effect immediately.

15

16

17

#### STATEMENT

18

19 This bill would allow federally tax-exempt nonprofit  
20 organizations which provide services throughout the State to apply  
21 directly to the State Division of Highway Traffic Safety (DHTS) for  
22 federal highway safety grants.

23 Under current law, nonprofit organizations must indirectly apply  
24 for grants through local political subdivisions, such as  
25 municipalities, counties, townships or districts.

26 The DHTS is in the Department of Law and Public Safety and  
27 operates under the direction of the Governor and the Attorney  
28 General. Its mission is to reduce highway traffic fatalities, injuries  
29 and property damage. DHTS receives significant funding from the  
30 National Highway Traffic Safety Administration. These funds are  
31 used to establish Statewide traffic safety programs and are  
32 dispersed in the form of grants to local, county and State agencies.  
33 Under the bill, nonprofit organizations, such as Mothers Against  
34 Drunk Driving, would be able to apply directly to DHTS for these  
35 highway safety grants.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2196**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 12, 2006

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2196.

As amended and reported by the committee, Assembly Bill No. 2196 allows qualifying federally tax-exempt nonprofit organizations which provide services throughout the State to apply directly to the State Division of Highway Traffic Safety (DHTS) for federal highway safety grants.

The amended bill requires the nonprofit organization to be approved by the Director of the Office of Highway Traffic Safety. Under the amended bill, the director is required to adopt, by regulation, the criteria a nonprofit organization must meet to qualify for a grant. The criteria must require the nonprofit organization to be operated primarily for scientific, educational, service, charitable or similar purposes in the public interest and to have a demonstrable record of conducting highway traffic programs. The criteria also must specify the types of programs for which a nonprofit organization may be awarded a grant.

Under current law, nonprofit organizations must indirectly apply for grants through local political subdivisions, such as municipalities, counties, townships or districts.

The DHTS is in the Department of Law and Public Safety and operates under the direction of the Governor and the Attorney General. Its mission is to reduce highway traffic fatalities, injuries and property damage. DHTS receives significant funding from the National Highway Traffic Safety Administration. These funds are used to establish Statewide traffic safety programs and are dispersed in the form of grants to local, county and State agencies. Under the bill, nonprofit organizations, such as Mothers Against Drunk Driving, would be able to apply directly to DHTS for these highway safety grants.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require that the director approve the nonprofit organization and establish the criteria by which an organization could qualify for the grants;

(2) remove section 5, as 40% of federal funds are required under federal law to be expended by political subdivisions;

(3) change the effective date to the first day of the 10th month following enactment, rather than immediately; and

(4) make other clarifying and technical amendments.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 2196**

# **STATE OF NEW JERSEY**

DATED: JANUARY 29, 2007

The Senate Transportation Committee reports favorably Senate Bill No. 2196 (1R).

This bill allows qualifying federally tax-exempt nonprofit organizations which provide services throughout the State to apply directly to the State Division of Highway Traffic Safety (DHTS) for federal highway safety grants.

The bill requires the nonprofit organization to be approved by the Director of the Office of Highway Traffic Safety. Under the bill, the director is required to adopt, by regulation, the criteria a nonprofit organization must meet to qualify for a grant. The criteria must require the nonprofit organization to be operated primarily for scientific, educational, service, charitable or similar purposes in the public interest and to have a demonstrable record of conducting highway traffic programs. The criteria also must specify the types of programs for which a nonprofit organization may be awarded a grant.

Under current law, nonprofit organizations must indirectly apply for grants through local political subdivisions, such as municipalities, counties, townships or districts.

The DHTS is in the Department of Law and Public Safety and operates under the direction of the Governor and the Attorney General. Its mission is to reduce highway traffic fatalities, injuries, and property damage. DHTS receives significant funding from the National Highway Traffic Safety Administration. These funds are used to establish Statewide traffic safety programs and are dispersed in the form of grants to local, county, and State agencies. Under the bill, nonprofit organizations, such as Mothers Against Drunk Driving, would be able to apply directly to DHTS for these highway safety grants.

This bill is the same as S-2158, released by the committee on the same day.

**SENATE, No. 2158**

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

INTRODUCED SEPTEMBER 18, 2006

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Salem, Cumberland and Gloucester)**

**SYNOPSIS**

Allows certain nonprofits to directly apply to Division of Highway Traffic Safety for federal grants.

**CURRENT VERSION OF TEXT**

As introduced.



S2158 SWEENEY

2

1 AN ACT concerning receipt of federal funds under the “New Jersey  
2 Highway Traffic Safety Act of 1987” and amending P.L.1987,  
3 c.284.

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

7  
8 1. Section 3 of P.L 1987, c.284 (C.27:5F-20) is amended to read  
9 as follows:

10 3. As used in this act:

11 a. "State highway traffic safety program" means all highway  
12 traffic safety programs conducted by the State **[and]** , political  
13 subdivisions of the State, and qualifying nonprofit organizations.

14 b. "Local highway traffic safety program" means a highway  
15 traffic safety program established or submitted to the Governor by a  
16 political subdivision and qualifying nonprofit organizations  
17 pursuant to the provisions of this act.

18 c. "Political subdivision" means any local political subdivision  
19 of this State, including but not limited to a municipality, a county, a  
20 township, a district, or a special district.

21 d. "Governor" means the Governor of the State of New Jersey.

22 e. "Director" shall mean the Director of the Office of Highway  
23 Traffic Safety of the State of New Jersey.

24 f. "Volunteer first aid, rescue and ambulance squad" means a  
25 first aid, rescue and ambulance squad which provides emergency  
26 medical services without receiving payment for those services.

27 g. "Nonvolunteer first aid, rescue and ambulance squad" means  
28 a first aid, rescue and ambulance squad which provides emergency  
29 medical services on a paid basis.

30 h. “Nonprofit organization” means a nonprofit organization  
31 which provides services throughout the State and is tax exempt  
32 under section 501(c)(3) of the federal Internal Revenue Code (26  
33 U.S.C. s.501(c)(3)), and is not a private foundation as defined in  
34 section 509(a) of the federal Internal Revenue Code (26 U.S.C.  
35 s.509(a)).

36 (cf: P.L.1987, c.284, s.3)

37  
38 2. Section 4 of P.L.1987, c.284 (C.27:5F-21) is amended to read  
39 as follows:

40 4. a. The Governor shall coordinate the highway traffic safety  
41 activities of State and local agencies, other public and private  
42 agencies, nonprofit organizations, and interested organizations and  
43 individuals and shall be the official of this State having the ultimate  
44 responsibility of dealing with the federal government with respect

**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.**



S2158 SWEENEY

3

1 to the State highway traffic safety program. In order to effectuate  
2 the purposes of this act he shall:

3 (1) Prepare for this State, the New Jersey Highway Traffic  
4 Safety Program which shall consist of a comprehensive plan in  
5 conformity with the laws of this State to reduce traffic accidents  
6 and deaths, injuries, and property damage resulting therefrom.

7 (2) Promulgate rules and regulations establishing standards and  
8 procedures relating to the content, coordination, submission, and  
9 approval of local highway traffic safety programs.

10 (3) Contract and do all things necessary or convenient on behalf  
11 of the State in order to insure that all departments of State  
12 **【Government and】** government, local political subdivisions and  
13 nonprofit organizations, to the extent that nonprofit organizations  
14 qualify for highway traffic safety grants pursuant to the provisions  
15 of section 6 of P.L. , c. (C. )(pending before the Legislature  
16 as this bill), secure the full benefits available under the "U.S.  
17 Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. s.s. 401-  
18 404), and any acts amendatory or supplementary thereto.

19 (4) Adopt training programs, guidelines and standards for  
20 members of nonvolunteer first aid, rescue and ambulance squads  
21 providing emergency medical service programs.

22 b. The New Jersey Highway Traffic Safety Program, and rules  
23 and regulations, training programs, guidelines, and standards shall  
24 comply with uniform standards promulgated by the United States  
25 Secretary of Transportation in accordance with the "U.S. Highway  
26 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. **【s.s.】** ss. 401-404),  
27 and any acts amendatory or supplementary thereto.

28 (cf: P.L.1987, 284, s.4)

29

30 3. Section 6 of P.L.1987, c.284 (C.27:5F-23) is amended to read  
31 as follows:

32 6. A political subdivision or nonprofit organization shall qualify  
33 for receipt of federal funds upon application to the Governor,  
34 provided that:

35 a. The political subdivision or nonprofit organization submits to  
36 the Governor a local highway traffic safety program in accordance  
37 with and meeting the standards established and the rules and  
38 regulations promulgated pursuant to this act.

39 b. The political subdivision or nonprofit organization submits to  
40 the Governor any other information as may be required to carry out  
41 the purposes of this act.

42 (cf: P.L.1987, c.284, s.6)

43

44 4. Section 7 of P.L.1987, c.284 (C.27:5F-24) is amended to read  
45 as follows:

46 7. The Department of the Treasury shall accept and receive any  
47 grants of money awarded to the State **【and】**, its political  
48 subdivisions and nonprofit organizations under the "U.S. Highway

S2158 SWEENEY

4

1 Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. **§** ss. 401-404),  
2 and acts amendatory or supplementary thereto. All moneys so  
3 received shall be deposited by the Department of the Treasury and  
4 shall be used exclusively for establishing, administering and  
5 fulfilling highway traffic safety programs pursuant to the provisions  
6 of this act. The money shall be paid from the fund or funds upon  
7 audit and warrant of the Director, Division of Budget and  
8 Accounting, on vouchers of or certification by the Governor.  
9 (cf: P.L.1987, c.284 s.7)

10

11 5. Section 9 of P.L.1987, c.284 (C.27:5F-26) is amended to read  
12 as follows:

13 9. The Governor may also accept applications from political  
14 subdivisions and qualifying nonprofit organizations made on behalf  
15 of hospitals, volunteer and nonvolunteer first aid, rescue and  
16 ambulance squads, or other local entities serving a public purpose  
17 for grants of money to implement emergency medical service  
18 programs. A political subdivision or qualifying nonprofit  
19 organization shall submit all such applications to the Governor.  
20 (cf: P.L.1987, c.284, s.9)

21

22 6. Section 12 of P.L.1987, c.284, (C.27:5F-29) is amended to  
23 read as follows:

24 12. a. There is hereby created an Office of Highway Traffic  
25 Safety in the Department of Law and Public Safety.

26 b. The office shall be under the immediate supervision of a  
27 director who shall be qualified to direct the work of the office. The  
28 director shall be appointed by, and serve at the pleasure of, the  
29 Governor.

30 c. The director shall:

31 (1) Administer the work of the office under the direction and  
32 supervision of the Governor and the Attorney General;

33 (2) Perform such functions, in addition to the work of the office,  
34 as the Governor may prescribe;

35 (3) Organize and reorganize the office;

36 (4) Assign and reassign personnel to employment within the  
37 office;

38 (5) Perform or cause to be performed the work of the office in  
39 the manner and pursuant to a program as he may deem necessary  
40 and appropriate;

41 (6) Employ as necessary the services of several departments and  
42 agencies, in a manner and to an extent as may be agreed upon by  
43 the chief executive officer of a department or agency and the  
44 Governor;

45 (7) Assist the localities in the development and formulation of  
46 local highway traffic safety programs;

47 (8) Receive and process applications from local **§** and agencies,  
48 State agencies, and nonprofit organizations for highway traffic

1 safety project grants, provided that grants to qualifying nonprofit  
2 organizations shall be awarded only for programs approved by the  
3 director; the director shall adopt, pursuant to the “Administrative  
4 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), criteria by  
5 which a nonprofit organization shall qualify for award of grants  
6 including, but not limited to, the requirement that a nonprofit  
7 organization be operated primarily for scientific, educational,  
8 service, charitable or similar purposes in the public interest with a  
9 demonstrable record of conducting highway traffic programs and  
10 specifying the types of programs for which a nonprofit organization  
11 may be awarded a grant; and

12 (9) Cause to be made a periodic review of local highway traffic  
13 safety programs, including training programs of first aid, rescue and  
14 ambulance squads, to insure they comply with the standards,  
15 guidelines, rules and regulations provided for by this act.  
16 (cf: P.L.1987, c.284, s.12)

17  
18 7. This act shall take effect on the first day of the 10th month  
19 following enactment, except the Director of the Office of Highway  
20 Traffic Safety may take such anticipatory administrative action in  
21 advance thereof as may be necessary for the implementation of this  
22 act and nonprofit organizations shall be eligible for the award of  
23 grants beginning with the federal fiscal year 2008 program.

24  
25  
26 STATEMENT

27  
28 This bill would allow qualifying federally tax-exempt nonprofit  
29 organizations which provide services throughout the State to apply  
30 directly to the State Division of Highway Traffic Safety (DHTS) for  
31 federal highway safety grants.

32 The bill requires the nonprofit organization to be approved by  
33 the Director of the Office of Highway Traffic Safety. Under the  
34 bill, the director is required to adopt, by regulation, the criteria a  
35 nonprofit organization must meet to qualify for a grant. The criteria  
36 must require the nonprofit organization to be operated primarily for  
37 scientific, educational, service, charitable or similar purposes in the  
38 public interest and to have a demonstrable record of conducting  
39 highway traffic programs. The criteria also must specify the types  
40 of programs for which a nonprofit organization may be awarded a  
41 grant.

42 Under current law, nonprofit organizations must indirectly apply  
43 for grants through local political subdivisions, such as  
44 municipalities, counties, townships or districts.

45 The DHTS is in the Department of Law and Public Safety and  
46 operates under the direction of the Governor and the Attorney  
47 General. Its mission is to reduce highway traffic fatalities, injuries  
48 and property damage. DHTS receives significant funding from the

**S2158 SWEENEY**

6

1 National Highway Traffic Safety Administration. These funds are  
2 used to establish Statewide traffic safety programs and are  
3 dispersed in the form of grants to local, county and State agencies.  
4 Under the bill, nonprofit organizations, such as Mothers Against  
5 Drunk Driving, would be able to apply directly to DHTS for these  
6 highway safety grants.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

### SENATE, No. 2158

# STATE OF NEW JERSEY

DATED: JANUARY 29, 2007

The Senate Transportation Committee reports favorably Senate Bill No. 2158.

This bill allows qualifying federally tax-exempt nonprofit organizations which provide services throughout the State to apply directly to the State Division of Highway Traffic Safety (DHTS) for federal highway safety grants.

The bill requires the nonprofit organization to be approved by the Director of the Office of Highway Traffic Safety. Under the bill, the director is required to adopt, by regulation, the criteria a nonprofit organization must meet to qualify for a grant. The criteria must require the nonprofit organization to be operated primarily for scientific, educational, service, charitable or similar purposes in the public interest and to have a demonstrable record of conducting highway traffic programs. The criteria also must specify the types of programs for which a nonprofit organization may be awarded a grant.

Under current law, nonprofit organizations must indirectly apply for grants through local political subdivisions, such as municipalities, counties, townships or districts.

The DHTS is in the Department of Law and Public Safety and operates under the direction of the Governor and the Attorney General. Its mission is to reduce highway traffic fatalities, injuries, and property damage. DHTS receives significant funding from the National Highway Traffic Safety Administration. These funds are used to establish Statewide traffic safety programs and are dispersed in the form of grants to local, county, and State agencies. Under the bill, nonprofit organizations, such as Mothers Against Drunk Driving, would be able to apply directly to DHTS for these highway safety grants.

This bill is the same as A-2196 (1R), released by the committee on the same day.