

COMMITTEE STATEMENT:

ASSEMBLY: No

SENATE: Yes Law & Public

Safety

Budget &

Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:

No

LEGISLATIVE FISCAL ESTIMATE:

Yes 12/31/2019

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

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:

Yes

"Gov. signs into law a trio of pro-cop bills," The Star-Ledger, January 22, 2020.

"Governor signs into law a trio of pro-police," South Jersey Times, January 22, 2020.

RWH/JA

P.L. 2019, CHAPTER 370, *approved January 20, 2020*

Assembly, No. 3890 (*Second Reprint*)

1 AN ACT concerning motor vehicle penalties ², designated as the
2 “Slow Down or Move Over, It’s the Law Act,”² and amending
3 and supplementing¹ P.L.2009, c.5.

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

7
8 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read as
9 follows:

10 1. a. The operator of a motor vehicle approaching a stationary
11 authorized emergency vehicle as defined in R.S.39:1-1 that is
12 displaying a flashing, blinking^{1,1} or alternating red or blue light ^{2,2} or
13 **[.]**² any configuration of lights containing one of these colors, shall
14 approach the authorized emergency vehicle with due caution and shall,
15 absent any other direction by a law enforcement officer, proceed as
16 follows:

17 (1) Make a lane change into a lane not adjacent to the authorized
18 emergency vehicle if possible in the existing safety and traffic
19 conditions; or

20 (2) If a lane change pursuant to paragraph (1) of subsection a. of
21 this section would be impossible, prohibited by law or unsafe, reduce
22 the speed of the motor vehicle to a reasonable and proper speed for the
23 existing road and traffic conditions, which speed shall be less than the
24 posted speed limit, and be prepared to stop.

25 b. The operator of a motor vehicle approaching a stationary tow
26 truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is
27 displaying a flashing amber light, a stationary highway maintenance or
28 emergency service vehicle that is operated by the State, an authority^{1,1}
29 or a county or municipality and displaying flashing yellow, amber, or
30 red lights, or a stationary sanitation vehicle displaying a flashing
31 amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-
32 54.27) shall approach the vehicle with due caution and shall, absent
33 any other direction by a law enforcement officer, proceed as follows:

34 (1) Make a lane change into a lane not adjacent to the tow truck,
35 highway maintenance or emergency service vehicle, or sanitation
36 vehicle if possible in the existing safety and traffic conditions; or

37 (2) If a lane change under paragraph (1) of subsection b. of this
38 section would be impossible, prohibited by law or unsafe, reduce the
39 speed of the motor vehicle to a reasonable and proper speed for 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:

¹Assembly ALP committee amendments adopted December 3, 2018.

²Assembly AAP committee amendments adopted November 14, 2019.

1 existing road and traffic conditions, which speed shall be less than the
2 posted speed limit, and be prepared to stop.

3 c. A ~~violation of~~ person who violates this section shall be
4 ~~punished by a fine of~~ fined not less than \$100 and not more than
5 \$500 ~~and~~ .

6 In addition to the fine imposed pursuant to this subsection, a
7 person convicted of three or more offenses under this section that
8 occur within a 12-month period shall be² assessed two motor vehicle
9 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

10 ²A motor vehicle operator shall not be assessed motor vehicle
11 penalty points unless the stationary vehicle is displaying flashing,
12 blinking, or alternating lights in accordance with this section at the
13 time of the third or subsequent violation².

14 (cf: P.L.2017, c.43, s.2)

15

16 ¹2. The ²~~Chief Administrator of the New Jersey Motor Vehicle~~
17 ~~Commission~~ Director of the Division of Highway Traffic Safety in
18 the Department of Law and Public Safety² shall establish a public
19 awareness campaign to inform the general public concerning:

20 (1) the importance of motor vehicle operators reducing the speed
21 of their vehicles and changing lanes when approaching an authorized
22 emergency vehicle; tow truck; or highway maintenance, emergency
23 service, or sanitation vehicle that is displaying flashing, blinking, or
24 alternating emergency lights as required pursuant to section 1 of
25 P.L.2009, c.5 (C.39:4-92.2);

26 (2) the risks associated with the failure of a motor vehicle operator
27 to comply with the provisions of section 1 of P.L.2009, c.5 (C.39:4-
28 92.2); and

29 (3) the penalties and fines that are imposed on a motor vehicle
30 operator who violates section 1 of P.L.2009, c.5 (C.39:4-92.2).¹

31

32 ¹~~2.~~ 3.¹ This act shall take effect ²immediately on the first
33 day of the eighth month next following the date of enactment².

34

35

36

37 Imposes motor vehicle penalty points for certain violations of
38 “move over law”; establishes public awareness campaign;
39 designated as “Slow Down or Move Over, It’s the Law Act.”

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 7, 2018

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Co-Sponsored by:

Assemblymen McGuckin and Wolfe

SYNOPSIS

Imposes motor vehicle penalty points for violation of “move over law.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/14/2018)

A3890 HOUGHTALING, DOWNEY

2

1 AN ACT concerning motor vehicle penalties and amending
2 P.L.2009, c.5.

3

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

6

7 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read
8 as follows:

9 1. a. The operator of a motor vehicle approaching a stationary
10 authorized emergency vehicle as defined in R.S.39:1-1 that is
11 displaying a flashing, blinking or alternating red or blue light or,
12 any configuration of lights containing one of these colors, shall
13 approach the authorized emergency vehicle with due caution and
14 shall, absent any other direction by a law enforcement officer,
15 proceed as follows:

16 (1) Make a lane change into a lane not adjacent to the authorized
17 emergency vehicle if possible in the existing safety and traffic
18 conditions; or

19 (2) If a lane change pursuant to paragraph (1) of subsection a. of
20 this section would be impossible, prohibited by law or unsafe,
21 reduce the speed of the motor vehicle to a reasonable and proper
22 speed for the existing road and traffic conditions, which speed shall
23 be less than the posted speed limit, and be prepared to stop.

24 b. The operator of a motor vehicle approaching a stationary
25 tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6)
26 that is displaying a flashing amber light, a stationary highway
27 maintenance or emergency service vehicle that is operated by the
28 State, an authority or a county or municipality and displaying
29 flashing yellow, amber, or red lights, or a stationary sanitation
30 vehicle displaying a flashing amber warning light pursuant to
31 section 1 of P.L.2011, c.3 (C.39:3-54.27) shall approach the vehicle
32 with due caution and shall, absent any other direction by a law
33 enforcement officer, proceed as follows:

34 (1) Make a lane change into a lane not adjacent to the tow truck,
35 highway maintenance or emergency service vehicle, or sanitation
36 vehicle if possible in the existing safety and traffic conditions; or

37 (2) If a lane change under paragraph (1) of subsection b. of this
38 section would be impossible, prohibited by law or unsafe, reduce
39 the speed of the motor vehicle to a reasonable and proper speed for
40 the existing road and traffic conditions, which speed shall be less
41 than the posted speed limit, and be prepared to stop.

42 c. A **violation of** person who violates this section shall be
43 **punished by a fine of** fined not less than \$100 and not more than
44 \$500 and assessed two motor vehicle penalty points pursuant to
45 section 1 of P.L.1982, c.43 (C.39:5-30.5).

46 (cf: P.L.2017, c.43, s.2)

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 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 Under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-
7 92.2), motor vehicle operators are required to reduce the speed of their
8 vehicles and change lanes when approaching an authorized emergency
9 vehicle; tow truck; or highway maintenance, emergency service, or
10 sanitation vehicle that is displaying flashing, blinking or alternating
11 emergency lights. Violators are subject to a fine between \$100 and
12 \$500.

13 This bill requires two motor vehicle penalty points to be assessed
14 when a motor vehicle operator violates the “move over law.” The
15 accumulation of motor vehicle penalty points may result in additional
16 penalties, including the imposition of surcharges and a license
17 suspension.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3890

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2018

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 3890.

As amended and reported by the committee, Assembly Bill No. 3890 imposes motor vehicle penalty points for a violation of the State's "move over law" and requires the New Jersey Motor Vehicle Commission (MVC) to conduct a public awareness campaign.

Under the "move over law" (section 1 of P.L.2009, c.5; C.39:4-92.2), motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

This amended bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator violates the "move over law." The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

As amended, the bill also requires the Chief Administrator of the MVC to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the "move over law," the risks associated with the failure of a motor vehicle operator to comply with the "move over law," and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) Require the Chief Administrator of the MVC to conduct a public awareness campaign regarding the "move over law";
and
- (2) Make technical changes to the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3890

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 3892 (1R).

As amended and reported by the committee, Assembly Bill No. 3890 (1R) requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12 month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the “move over law,” motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500,

The amended bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12 month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The amended bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the section 1 of P.L.2009, c.5; C.39:4-92.2, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

COMMITTEE AMENDMENTS

The committee amendments:

1) designate the bill as the “Slow Down, Move Over Law, It’s the Law Act”;

- 2) impose motor vehicle penalty points when three or more violations occur during a 12 month period;
- 3) provide that the bill is to take effect seven months following the date of enactment; and
- 4) make technical corrections.

FISCAL IMPACT:

The Office of Legislative Services finds that this bill will result in a marginal, indeterminate increase in annual State costs and possible annual increases in State fine revenues. If a person acquires sufficient driver penalty points to become subject to penalties under the motor vehicle surcharge program and then is subject to additional driver points for three violations of this bill within twelve months, that driver will face additional fines. Less than two percent of the State's drivers are newly subject to points-based surcharge penalties each year. It cannot be estimated at this time how many people will be subject to these additional fines, but it is likely that the number will be small. Any surcharge revenues collected will be dedicated to the repayment of State bonds secured by surcharge program revenues.

The Division of Highway Traffic Safety in the Department of Law and Public Safety may incur marginal additional costs in the administration of the public awareness campaign required pursuant to this bill. The division already has public awareness outreach materials on its website, including a poster, flier, palm card, web banner, and a series of video public service announcements that are available to the public, so there should be no cost in creating public awareness materials. There may be a cost in the distribution of these materials depending upon the means utilized. If the campaign primarily uses digital methods of outreach such as messaging on the division website, displaying materials on public monitors, and through variable message signs on highways, then the cost will be nominal.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JUNE 5, 2019

SUMMARY

- Synopsis:** Imposes motor vehicle penalty points for violation of “move over law”; requires MVC to conduct public awareness campaign.
- Type of Impact:** Increased State cost, and possible increase in State revenue.
- Agencies Affected:** New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Minor Cost	N/A	N/A
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.
- The cost of the public awareness campaign will depend on how the Motor Vehicle Commission (commission) decides to implement the campaign. The Division of Highway Traffic Safety is already administering a public awareness campaign that makes available on its website a poster, flier, palm card, web banner, and video public service announcements which are available to the public. These materials can be utilized by the commission for distribution at commission facilities at little cost.
- Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a violation of this bill, will result in additional fines under that surcharge program, resulting in indirect State revenues.

BILL DESCRIPTION

This bill imposes motor vehicle penalty points for a violation of the State's "move over law" and requires the New Jersey Motor Vehicle Commission to conduct a public awareness campaign.

Under the "move over law" (section 1 of P.L.2009, c.5; C.39:4-92.2), motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

This amended bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator violates the "move over law." The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

As amended, the bill also requires the Chief Administrator of the commission to establish a public awareness campaign to inform the general public concerning the importance of compliance by motor vehicle operators with the "move over law," the risks associated with the failure of a motor vehicle operator to comply with the "move over law," and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill will result in a small indeterminate increase in State costs, and possible indirect increase in State revenue. The assessment of motor vehicle penalty points for violations of the "move over law" will not directly result in any new costs to the State nor any new revenues from fines imposed on drivers. However, to the extent that a person acquires sufficient driver penalty points to become subject to the penalties under the motor vehicle surcharge program, and then are subject to driver points the move over law, they will then be subject to additional fines under motor vehicle surcharge program penalties. The additional penalties under the surcharge program would result in increased State revenue. There is no way of knowing how many people violating the move over law also have enough motor vehicle penalty points that they will be subject to point based surcharge fines. In 2016, there were 80,771 violations that resulted in points-based surcharges, and the number of violations has been steadily decreasing every year since 2009. The amount billed for all points based surcharges in 2016 was \$14.1 million, and that amount has also declined each year since 2008. The overlap between those 80,771 violations and those who have committed a failure to move over violation is not clear.

The Motor Vehicle Commission will also face costs in the administration of the public awareness campaign required pursuant to this bill. If the campaign primarily uses digital methods of outreach such as messaging on the commission website and/or adding information to materials that the commission already distributes, then the cost may be minimal. If the commission were to provide notice on billboards, radio, or television, then the cost could be

millions of dollars. In the absence of a defined funding source for the public awareness campaign, it is likely that the commission will pursue a low cost option in administering the campaign. The Division of Highway Traffic Safety is already administering a public awareness campaign that makes available on its website a poster, flier, palm card, web banner, and video public service announcements which are available to the public. These materials can be utilized by the commission for distribution at commission facilities at little cost, meeting the requirements of the campaign.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: DECEMBER 3, 2019

SUMMARY

- Synopsis:** Imposes motor vehicle penalty points for certain violations of “move over law”; establishes public awareness campaign; designated as “Slow Down or Move Over, It’s the Law Act.”
- Type of Impact:** Increased State cost, and possible increase in State revenue.
- Agencies Affected:** Department of Law and Public Safety, Division of Highway Traffic Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Minor Cost	N/A	N/A
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.
- The cost of the public awareness campaign will depend on how the Department of Law and Public Safety’s Division of Highway Traffic Safety (division) implements the campaign. The division has already created public awareness campaign materials on its website including a poster, flier, palm card, web banner, and video public service announcements, which are available to the public. The cost of the public awareness campaign would likely be isolated to the costs of disseminating these materials, which could be done within government facilities and on video screens at very little cost.
- Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a third offense in 12 months under this bill will result in additional fines under that surcharge program, resulting in indirect State revenues.

BILL DESCRIPTION

This bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12-month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the move over law, motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

The bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12-month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The amended bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the move over law, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill will result in a small indeterminate increase in State costs, and possible indirect increase in State revenue. The assessment of motor vehicle penalty points for three violations in 12 months of the move over law will not directly result in any new costs to the State nor any new revenues from fines imposed on drivers. However, to the extent that a person acquires sufficient driver penalty points to become subject to the penalties under the motor vehicle surcharge program, and then are subject to driver points for a third violation in 12 months of the move over law, they will then be subject to additional fines from motor vehicle surcharge program penalties. The additional penalties under the surcharge program would result in increased State revenue. There is no way of knowing how many people violating the move over law also have enough motor vehicle penalty points that they will be subject to point based surcharge fines. It also cannot be known at this time how many people will be subject to three separate violations of the move over law within a 12-month period of time, while also being subject to surcharge program penalties, but it is likely that the number will be very small. Any surcharge revenue generated in this way will be dedicated to the repayment of State bonds securitized by surcharge program revenues.

The division may face costs in the administration of the public awareness campaign required pursuant to this bill. The division already has public awareness outreach materials on its website,

including a poster, flier, palm card, web banner, and a series of video public service announcements that are available to the public, so there should be no cost in creating public awareness materials. There may be a cost in the distribution of these materials depending upon the means of distribution. If the campaign primarily uses digital methods of outreach such as messaging on the division website, displaying materials on public monitors and through variable message signs on highways then the cost may be nominal. If the division were to adopt a wider distribution strategy such as radio and television advertising, then the cost could be substantially higher.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 3890

STATE OF NEW JERSEY

DATED: JANUARY 6, 2020

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 3890 (2R).

This bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12 month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the “move over law,” motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500,

The bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12 month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the section 1 of P.L.2009, c.5; C.39:4-92.2, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

As reported by the committee, Assembly Bill No. 3890 (2R) is identical to Senate Bill No. 2501 (1R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State

revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.

The cost of the public awareness campaign will depend on how the Department of Law and Public Safety's Division of Highway Traffic Safety (division) implements the campaign. The division has already created public awareness campaign materials on its website including a poster, flier, palm card, web banner, and video public service announcements, which are available to the public. The cost of the public awareness campaign would likely be isolated to the costs of disseminating these materials, which could be done within government facilities and on video screens at very little cost.

Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a third offense in 12 months under this bill will result in additional fines under that surcharge program, resulting in indirect State revenues.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JUNE 5, 2019

SUMMARY

- Synopsis:** Imposes motor vehicle penalty points for violation of “move over law”; requires MVC to conduct public awareness campaign.
- Type of Impact:** Increased State cost, and possible increase in State revenue.
- Agencies Affected:** New Jersey Motor Vehicle Commission.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Minor Cost	N/A	N/A
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.
- The cost of the public awareness campaign will depend on how the Motor Vehicle Commission (commission) decides to implement the campaign. The Division of Highway Traffic Safety is already administering a public awareness campaign that makes available on its website a poster, flier, palm card, web banner, and video public service announcements which are available to the public. These materials can be utilized by the commission for distribution at commission facilities at little cost.
- Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a violation of this bill, will result in additional fines under that surcharge program, resulting in indirect State revenues.

BILL DESCRIPTION

This bill imposes motor vehicle penalty points for a violation of the State's "move over law" and requires the New Jersey Motor Vehicle Commission to conduct a public awareness campaign.

Under the "move over law" (section 1 of P.L.2009, c.5; C.39:4-92.2), motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

This amended bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator violates the "move over law." The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

As amended, the bill also requires the Chief Administrator of the commission to establish a public awareness campaign to inform the general public concerning the importance of compliance by motor vehicle operators with the "move over law," the risks associated with the failure of a motor vehicle operator to comply with the "move over law," and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill will result in a small indeterminate increase in State costs, and possible indirect increase in State revenue. The assessment of motor vehicle penalty points for violations of the "move over law" will not directly result in any new costs to the State nor any new revenues from fines imposed on drivers. However, to the extent that a person acquires sufficient driver penalty points to become subject to the penalties under the motor vehicle surcharge program, and then are subject to driver points the move over law, they will then be subject to additional fines under motor vehicle surcharge program penalties. The additional penalties under the surcharge program would result in increased State revenue. There is no way of knowing how many people violating the move over law also have enough motor vehicle penalty points that they will be subject to point based surcharge fines. In 2016, there were 80,771 violations that resulted in points-based surcharges, and the number of violations has been steadily decreasing every year since 2009. The amount billed for all points based surcharges in 2016 was \$14.1 million, and that amount has also declined each year since 2008. The overlap between those 80,771 violations and those who have committed a failure to move over violation is not clear.

The Motor Vehicle Commission will also face costs in the administration of the public awareness campaign required pursuant to this bill. If the campaign primarily uses digital methods of outreach such as messaging on the commission website and/or adding information to materials that the commission already distributes, then the cost may be minimal. If the commission were to provide notice on billboards, radio, or television, then the cost could be

millions of dollars. In the absence of a defined funding source for the public awareness campaign, it is likely that the commission will pursue a low cost option in administering the campaign. The Division of Highway Traffic Safety is already administering a public awareness campaign that makes available on its website a poster, flier, palm card, web banner, and video public service announcements which are available to the public. These materials can be utilized by the commission for distribution at commission facilities at little cost, meeting the requirements of the campaign.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brenman
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: DECEMBER 3, 2019

SUMMARY

- Synopsis:** Imposes motor vehicle penalty points for certain violations of “move over law”; establishes public awareness campaign; designated as “Slow Down or Move Over, It’s the Law Act.”
- Type of Impact:** Increased State cost, and possible increase in State revenue.
- Agencies Affected:** Department of Law and Public Safety, Division of Highway Traffic Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Minor Cost	N/A	N/A
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.
- The cost of the public awareness campaign will depend on how the Department of Law and Public Safety’s Division of Highway Traffic Safety (division) implements the campaign. The division has already created public awareness campaign materials on its website including a poster, flier, palm card, web banner, and video public service announcements, which are available to the public. The cost of the public awareness campaign would likely be isolated to the costs of disseminating these materials, which could be done within government facilities and on video screens at very little cost.
- Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a third offense in 12 months under this bill will result in additional fines under that surcharge program, resulting in indirect State revenues.

BILL DESCRIPTION

This bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12-month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the move over law, motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

The bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12-month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The amended bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the move over law, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill will result in a small indeterminate increase in State costs, and possible indirect increase in State revenue. The assessment of motor vehicle penalty points for three violations in 12 months of the move over law will not directly result in any new costs to the State nor any new revenues from fines imposed on drivers. However, to the extent that a person acquires sufficient driver penalty points to become subject to the penalties under the motor vehicle surcharge program, and then are subject to driver points for a third violation in 12 months of the move over law, they will then be subject to additional fines from motor vehicle surcharge program penalties. The additional penalties under the surcharge program would result in increased State revenue. There is no way of knowing how many people violating the move over law also have enough motor vehicle penalty points that they will be subject to point based surcharge fines. It also cannot be known at this time how many people will be subject to three separate violations of the move over law within a 12-month period of time, while also being subject to surcharge program penalties, but it is likely that the number will be very small. Any surcharge revenue generated in this way will be dedicated to the repayment of State bonds securitized by surcharge program revenues.

The division may face costs in the administration of the public awareness campaign required pursuant to this bill. The division already has public awareness outreach materials on its website,

including a poster, flier, palm card, web banner, and a series of video public service announcements that are available to the public, so there should be no cost in creating public awareness materials. There may be a cost in the distribution of these materials depending upon the means of distribution. If the campaign primarily uses digital methods of outreach such as messaging on the division website, displaying materials on public monitors and through variable message signs on highways then the cost may be nominal. If the division were to adopt a wider distribution strategy such as radio and television advertising, then the cost could be substantially higher.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2501

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED APRIL 16, 2018

Sponsored by:

**Senator VIN GOPAL
District 11 (Monmouth)**

Co-Sponsored by:

Senator Holzapfel

SYNOPSIS

Imposes motor vehicle penalty points for violation of “move over law.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/14/2018)

S2501 GOPAL

2

1 AN ACT concerning motor vehicle penalties and amending
2 P.L.2009, c.5.

3

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

6

7 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read
8 as follows:

9 1. a. The operator of a motor vehicle approaching a stationary
10 authorized emergency vehicle as defined in R.S.39:1-1 that is
11 displaying a flashing, blinking or alternating red or blue light or,
12 any configuration of lights containing one of these colors, shall
13 approach the authorized emergency vehicle with due caution and
14 shall, absent any other direction by a law enforcement officer,
15 proceed as follows:

16 (1) Make a lane change into a lane not adjacent to the authorized
17 emergency vehicle if possible in the existing safety and traffic
18 conditions; or

19 (2) If a lane change pursuant to paragraph (1) of subsection a. of
20 this section would be impossible, prohibited by law or unsafe,
21 reduce the speed of the motor vehicle to a reasonable and proper
22 speed for the existing road and traffic conditions, which speed shall
23 be less than the posted speed limit, and be prepared to stop.

24 b. The operator of a motor vehicle approaching a stationary
25 tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6)
26 that is displaying a flashing amber light, a stationary highway
27 maintenance or emergency service vehicle that is operated by the
28 State, an authority or a county or municipality and displaying
29 flashing yellow, amber, or red lights, or a stationary sanitation
30 vehicle displaying a flashing amber warning light pursuant to
31 section 1 of P.L.2011, c.3 (C.39:3-54.27) shall approach the vehicle
32 with due caution and shall, absent any other direction by a law
33 enforcement officer, proceed as follows:

34 (1) Make a lane change into a lane not adjacent to the tow truck,
35 highway maintenance or emergency service vehicle, or sanitation
36 vehicle if possible in the existing safety and traffic conditions; or

37 (2) If a lane change under paragraph (1) of subsection b. of this
38 section would be impossible, prohibited by law or unsafe, reduce
39 the speed of the motor vehicle to a reasonable and proper speed for
40 the existing road and traffic conditions, which speed shall be less
41 than the posted speed limit, and be prepared to stop.

42 c. A **violation of** person who violates this section shall be
43 **punished by a fine of** fined not less than \$100 and not more than
44 \$500 and assessed two motor vehicle penalty points pursuant to
45 section 1 of P.L.1982, c.43 (C.39:5-30.5).

46 (cf: P.L.2017, c.43, s.2)

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.

S2501 GOPAL

1 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 Under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-
7 92.2), motor vehicle operators are required to reduce the speed of their
8 vehicles and change lanes when approaching an authorized emergency
9 vehicle; tow truck; or highway maintenance, emergency service, or
10 sanitation vehicle that is displaying flashing, blinking or alternating
11 emergency lights. Violators are subject to a fine between \$100 and
12 \$500.

13 This bill requires two motor vehicle penalty points to be assessed
14 when a motor vehicle operator violates the “move over law.” The
15 accumulation of motor vehicle penalty points may result in additional
16 penalties, including the imposition of surcharges and a license
17 suspension.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2501

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2501.

As amended and reported by the committee, this bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12 month period. Under the introduced bill, these points would have been assessed for each violation of the “move over law.” The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the “move over law,” motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500,

The amended bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12 month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The amended bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of motor vehicle operators complying with the “move over law,” risks associated with the failing to comply with the law, and the penalties and fines for violating the law.

The amended bill is effective seven months after enactment.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 3890 (2R), as amended and reported by the Assembly Appropriations Committee on November 14, 2019.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) designate the bill as the “Slow Down, Move Over Law, It’s the Law Act”;
- 2) assess two motor vehicle penalty points when three or more violations occur during a 12 month period;
- 3) establish a public awareness campaign;
- 4) provide that the bill is to take effect seven months following the date of enactment, rather than immediately; and
- 5) make clarifying and technical changes.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2501

STATE OF NEW JERSEY

DATED: JANUARY 6, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2501 (1R).

This bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12 month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the “move over law,” motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500,

The bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12 month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the section 1 of P.L.2009, c.5; C.39:4-92.2, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

As reported by the committee, Senate Bill No. 2501 (1R) is identical to Assembly Bill No. 3890 (2R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State

revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.

The cost of the public awareness campaign will depend on how the Department of Law and Public Safety's Division of Highway Traffic Safety (division) implements the campaign. The division has already created public awareness campaign materials on its website including a poster, flier, palm card, web banner, and video public service announcements, which are available to the public. The cost of the public awareness campaign would likely be isolated to the costs of disseminating these materials, which could be done within government facilities and on video screens at very little cost.

Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a third offense in 12 months under this bill will result in additional fines under that surcharge program, resulting in indirect State revenues.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2501 STATE OF NEW JERSEY 218th LEGISLATURE

DATED: DECEMBER 31, 2019

SUMMARY

- Synopsis:** Imposes motor vehicle penalty points for certain violations of “move over law”; establishes public awareness campaign; designated as “Slow Down or Move Over, It’s the Law Act.”
- Type of Impact:** Increased State cost, and possible increase in State revenue.
- Agencies Affected:** Department of Law and Public Safety, Division of Highway Traffic Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Minor Cost	N/A	N/A
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill will result in a small indeterminate increase in State costs to administer a public awareness campaign, and a potential indirect increase in State revenues due to the imposition of additional driver penalty points, that could be subject to surcharge fines for certain drivers.
- The cost of the public awareness campaign will depend on how the Department of Law and Public Safety’s Division of Highway Traffic Safety (division) implements the campaign. The division has already created public awareness campaign materials on its website including a poster, flier, palm card, web banner, and video public service announcements, which are available to the public. The cost of the public awareness campaign would likely be isolated to the costs of disseminating these materials, which could be done within government facilities and on video screens at very little cost.
- Drivers will not be directly subject to any payments to the State due to the imposition of driver penalty points for violations of the law; however, if a driver has enough points to be subject to the penalties under the surcharge program, the additional points from a third offense in 12 months under this bill will result in additional fines under that surcharge program, resulting in indirect State revenues.

BILL DESCRIPTION

This bill requires two motor vehicle penalty points to be assessed when a motor vehicle operator commits three or more violations under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-92.2) during a 12-month period. The accumulation of motor vehicle penalty points may result in additional penalties, including the imposition of surcharges and a license suspension.

Under the move over law, motor vehicle operators are required to reduce the speed of their vehicles and change lanes when approaching an authorized emergency vehicle; tow truck; or highway maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights. Violators are subject to a fine of between \$100 and \$500.

The bill, designated as the “Slow Down or Move Over, It’s the Law Act,” imposes two motor vehicle penalty points for a third or subsequent offense that occurs within a 12-month period. The motor vehicle penalty points are not to be imposed unless the authorized, stationary vehicle is displaying flashing, blinking, or alternating emergency lights at the time of the offense.

The amended bill also requires the Director of the Division of Highway Traffic Safety to establish a public awareness campaign to inform the general public concerning: the importance of compliance by motor vehicle operators with the move over law, the risks associated with the failure of a motor vehicle operator to comply with the law, and the penalties and fines that are imposed on a motor vehicle operator who violates this law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill will result in a small indeterminate increase in State costs, and possible indirect increase in State revenue. The assessment of motor vehicle penalty points for three violations in 12 months of the move over law will not directly result in any new costs to the State nor any new revenues from fines imposed on drivers. However, to the extent that a person acquires sufficient driver penalty points to become subject to the penalties under the motor vehicle surcharge program, and then are subject to driver points for a third violation in 12 months of the move over law, they will then be subject to additional fines from motor vehicle surcharge program penalties. The additional penalties under the surcharge program would result in increased State revenue. There is no way of knowing how many people violating the move over law also have enough motor vehicle penalty points that they will be subject to point based surcharge fines. It also cannot be known at this time how many people will be subject to three separate violations of the move over law within a 12-month period of time, while also being subject to surcharge program penalties, but it is likely that the number will be very small. Any surcharge revenue generated in this way will be dedicated to the repayment of State bonds securitized by surcharge program revenues.

The division may face costs in the administration of the public awareness campaign required pursuant to this bill. The division already has public awareness outreach materials on its website, including a poster, flier, palm card, web banner, and a series of video public service announcements that are available to the public, so there should be no cost in creating public awareness materials. There may be a cost in the distribution of these materials depending upon

the means of distribution. If the campaign primarily uses digital methods of outreach such as messaging on the division website, displaying materials on public monitors and through variable message signs on highways then the cost may be nominal. If the division were to adopt a wider distribution strategy such as radio and television advertising, then the cost could be substantially higher.

Section: Authorities, Utilities, Transportation and Communications

*Analyst: Patrick Brennan
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Legislative Package to Support Law Enforcement

01/20/2020

TRENTON - Governor Phil Murphy today signed a legislative package into law to create and establish protections for law enforcement. The series of bills provide resources and safeguards for New Jersey's police officers.

"New Jersey's law enforcement officers are the finest in the nation and we will take every step necessary to ensure their safety both in the line of duty and off-duty," **said Governor Murphy**. "I am proud to sign legislation that will support the officers who dedicate every day to us."

"Each and every day our law enforcement officers risk their personal safety and well-being to serve our communities. We owe it to our officers to protect them not only from the dangers they face on the job, but also from the effects of daily trauma," **said Attorney General Gurbir S. Grewal**. "Last year, the Governor and I addressed the largest gathering of law enforcement officers ever assembled in New Jersey at our statewide Resiliency Summit, which laid the foundation for this groundbreaking work. Today, we join our law enforcement community as we mourn the loss of Patrolman Edward Nortrup of the Roselle Park Police Department."

"Among the threats that a law enforcement officer may confront, perhaps no two things are more preventable than officers being unintentionally struck by motorists and officer suicide," **said Colonel Patrick Callahan of the New Jersey State Police**. "This legislation will help raise public awareness about the importance of the 'Move Over Law' and will create essential training for law enforcement so that officers know how to get the help and support they need, but most importantly, it will help save lives."

- **A1028 (Johnson Pinkin, Lampitt/Weinberg, Oroho)** - Establishes training program to prevent suicide by law enforcement officer; requires reporting of law enforcement officer suicides to Attorney General.
- **A2604 (DeAngelo, Thomson, Mukherji/Cryan, Greenstein)** - Establishes "Blue Alert System."
- **A3890 (Houghtaling, Downey/Gopal, Singleton)** - Imposes motor vehicle penalty points for certain violations of "move over law"; establishes public awareness campaign; designated as "Slow Down or Move Over, It's the Law Act."

"Today's bill signings reflect on our obligation as a State to look after the safety and the physical and mental health of New Jersey's law enforcement officers," **said Patrick Colligan, President of the New Jersey State Police Benevolent Association (NJSPBA)**. "There are risks that are ever present in law enforcement and we can never foresee the day when an officer will face them. These bills will make a difference. The New Jersey State PBA is grateful to the Governor and the bill sponsors for making them a priority."

"I am pleased that the Governor is supporting law enforcement by signing these 3 important FOP priority bills into law," **said Robert W. Fox, President of the New Jersey Fraternal Order of Police**. "The signing of these bills will help improve the safety of the law enforcement community in this State."

A1028

"For the third straight year in 2018, officer deaths by suicide outnumbered those who died in the line of duty in our country," **said Assemblyman Johnson**. "An estimated 159 officers took their own lives last year, compared to the 145 who died in the line of duty. Those numbers are staggering and heartbreaking. We must do all we can to prevent these tragedies, beginning with ensuring the right people are trained to address troubling situations."

"An entire community grieves the loss of an officer. When that loss may have been preventable, it's all the more tragic," **said Assemblywoman Pinkin**. "Our brave officers and their families deserve our utmost respect and support, particularly if they are going through difficult times. With the program created under this law, we can hopefully get these officers the help they need and potentially save lives."

"Sadly, New Jersey has one of the highest rates of officer suicide in the nation; our state lost eight officers to suicide last year," **said Assemblywoman Lampitt**. "But we cannot forget that suicide is preventable. The first step towards combating this crisis is to develop a comprehensive training program for our law enforcement agencies, and ensure they have the resources they need to identify and respond when someone needs help."

“Sadly, the greatest threat facing our police force today is suicide. It is so prevalent in the profession that the number of police officers who died by suicide is more than triple that of officers who were fatally injured in the line of duty,” **said Senator Weinberg**. “This law will ensure we are addressing the mental health struggles of our law enforcement and connecting them with the help that they need.”

“New Jersey’s brave law enforcement community repeatedly rushes towards danger as others flee,” **said Senator Oroho**. “Continuously being exposed to stressful situations takes a mental toll, which can sometimes seem too great to bear. Empowering our police officers and corrections officers with resiliency tools and training will help our local heroes when they need it most.”

A2604

“Law enforcement officers take on the dangerous task of protecting communities across New Jersey. When they’re attacked or go missing, every resident of this state with any relevant information has a duty to come forward,” **said Assemblyman DeAngelo**. “Blue Alerts can provide a means of making sure that those who harm men and women in uniform are found and penalized accordingly.”

“Police work is inherently dangerous. Given the safety risks faced by law enforcement officers, it is only right that we create a system that would allow for more efficient communication to help ensure that an individual who attacks an officer is caught swiftly and brought to justice,” **said Assemblyman Mukherji**. “This not only ensures that justice is served for these officers, but helps protect the public by getting a dangerous individual off the streets as quickly as possible.”

“It is a priority to protect the people who protect us,” **said Assemblyman Thomson**. “The men and women in blue who literally put their lives on the line need to know that if they are harmed, we will do everything in our power to capture the criminals and bring them to justice.”

“Law enforcement officers put their lives on the line every day in service to the communities they serve and the people they protect,” **said Senator Cryan, vice chair of the Senate Law and Public Safety Committee and the former Union County Sheriff**. “If they are threatened, injured or go missing this will provide a ‘Blue Alert’ that enables others to act quickly. It could mean the difference between life and death in dangerous situations. The alert system will be modelled after the Amber and Silver Alert programs already in place in New Jersey to protect children and senior citizens.”

A3890

“Violators of the Move Over Law’ are putting officers at serious risk of injury or death, and they must understand that the severity of their actions,” **said Assemblyman Houghtaling**. “This law shows how seriously we take the safety of our state’s brave police officers.”

“We want to do everything we can to protect our state’s law enforcement officers,” **said Assemblywoman Downey**. “By penalizing individuals who violate the state’s ‘Move Over Law’ with points, they will understand that this is not an issue we in New Jersey take lightly.”

“Slowing down or moving over allows our public safety officers and highway management crews to do their jobs safely, especially here in New Jersey, which is the most densely populated state in the nation,” **said Senator Singleton**. “I am pleased that New Jersey finally has a law that extends these highway safety protections to these workers.”