

39:4-77.1

LEGISLATIVE HISTORY CHECKLIST

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(Careless driving--ice)

NJSA: 39:4-77.1

LAWS OF: 1997 CHAPTER: 124

BILL NO: A2721

SPONSOR(S): Russo and others

DATE INTRODUCED: February 3, 1997

COMMITTEE: ASSEMBLY: Judiciary

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
First reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: February 20, 1997

SENATE: April 21, 1997

DATE OF APPROVAL: June 20, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

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[First Reprint]
ASSEMBLY, No. 2721

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1997

By Assemblyman RUSSO, Assemblywoman Weinberg,
Assemblyman Zisa, Senators McNamara and Bubba

1 AN ACT concerning careless driving and ¹[amending R.S.39:4-97]
2 supplementing chapter 4 of Title 39 of the Revised Statutes¹.

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

6
7 ¹[1. R.S.39:4-97 is amended to read as follows:

8 39:4-97. a. A person who drives a vehicle carelessly, or without
9 due caution and circumspection, in a manner so as to endanger, or be
10 likely to endanger, a person or property, shall be guilty of careless
11 driving.

12 b. The driver of a vehicle shall be guilty of careless driving if
13 accumulated ice or snow is dislodged from the vehicle and strikes
14 another vehicle or pedestrian, causing injury or property damage.
15 (cf: P.L.1995, c.70, s.3)]¹

16
17 ¹1. When snow or ice is dislodged from a moving vehicle and
18 strikes another vehicle or pedestrian causing injury or property
19 damage, the following penalties shall apply:

20 The operator of a non-commercial motor vehicle shall be subject to
21 a fine of not less than \$200 or more than \$1,000 for each offense.

22 The operator, owner, lessee, bailee or any one of the aforesaid of
23 a commercial motor vehicle shall be subject to a fine of not less than
24 \$500 or more than \$1,500 for each offense.

25 No motor vehicle points or automobile insurance eligibility points
26 pursuant to section 26 of P.L.1990, c.8 (C.17:33B-14) shall be
27 assessed for this offense.¹

28
29 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SLP committee amendments adopted March 24, 1997.

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13 another vehicle or pedestrian, causing injury or property damage.

14 (cf: P.L.1995, c.70, s.3)

15

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17

18 STATEMENT

19

20 This bill is intended to prevent accidents which result when ice or
21 snow dislodged from moving motor vehicles strikes other vehicles or
22 pedestrians. These accidents, which have caused injury and death,
23 may occur when the driver of a passenger vehicle or truck fails to
24 remove accumulated snow or ice from the top of a vehicle. Under the
25 bill, the driver of vehicle from which snow or ice falls and strikes
26 another vehicle or pedestrian causing injury or property damage would
27 be guilty of careless driving. This offense is punishable by a fine of
28 not less than \$50 or more than \$200, imprisonment for a period not to
29 exceed 15 days, or both. In addition, two motor vehicle points are
30 assessed for this offense.

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34 Creates penalty for peril caused by ice dislodged from vehicle.

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

Matter underlined thus is new matter.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2721

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 1997

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2721.

This bill amends the careless driving statute, R.S.39:4-97, to provide that the driver of a vehicle from which accumulated snow or ice falls and strikes another vehicle or pedestrian causing injury or property damage would be guilty of careless driving. This offense is punishable under the provisions of R.S.39:4-104 by a fine of not less than \$50 or more than \$200, imprisonment for a period not to exceed 15 days, or both. In addition, two motor vehicle points are assessed for this offense.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2721

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 24, 1997

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2721.

This bill is intended to prevent accidents which result when ice or snow dislodged from moving motor vehicles strikes other vehicles or pedestrians. These accidents, which have caused injury and death, may occur when the driver of a passenger vehicle or truck fails to remove accumulated snow or ice from the top of a vehicle.

As amended and released by the committee, the bill provides that if snow or ice dislodged from a noncommercial moving vehicle strikes another vehicle or pedestrian, causing injury or property damage, the operator would be subject to a fine of at least \$200, but not more than \$1,000. In the case of a commercial vehicle, the operator, owner, lessee or bailee of the vehicle would be subject to a fine of at least \$500, but not more than \$1,500. The bill also provides that the offender would not be assessed motor vehicle points or surcharges.

As introduced, the bill provided that the driver of vehicle from which snow or ice falls and strikes another vehicle or pedestrian causing injury or property damage would be guilty of careless driving.

As amended and released by the committee, this bill is identical to Senate Bill No. 1852, which also was amended and released by the committee on this date.