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(North Jersey Rail Plan)

NJSA:

27:1B-22.1

LAWS OF:

1995

CHAPTER:

84

BILL NO:

S10

SPONSOR(S):

DiFrancesco and others

DATE INTRODUCED:

March 31. 1994

COMMITTEE:

ASSEMBLY:

Transportation; Appropriations

SENATE:

Transportation; Budget

AMENDED DURING PASSAGE:

Yes

Amendments during passage

denoted by asterisks

DATE OF PASSAGE:

ASSEMBLY:

February 27, 1995

SENATE:

June 20, 1994

DATE OF APPROVAL:

April 12, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT:

Yes

COMMITTEE STATEMENT:

ASSEMBLY: Yes 7-13-94 & 1-19-95

SENATE:

Yes

6-6-94 & 6-16-94

FISCAL NOTE:

Yes

VETO MESSAGE:

→ No

MESSAGE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

REPORTS:

No

HEARINGS:

No

See newspaper clippings--attached:

"Whitman signs bill to complete rail links," 4-13-95, Bergen Record.

"New law to link rail lines," 4-13-95, Home News.

"\$5 billion 'Circle of Mobility' enacted for state," 4-13-95, Star Ledger.

KBG: pp

[FIRST REPRINT] SENATE, No. 10

STATE OF NEW JERSEY

INTRODUCED MARCH 31, 1994

By Senators DiFRANCESCO, Sacco, Kenny and O'Connor

AN ACT concerning transportation, amending P.L.1984, c.73, and
 supplementing Title 27 of the Revised Statutes.

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

- 1. Section 2 of P.L.1984, c.73 (C.27:1B-2) is amended to read as follows:
 - 2. The Legislature finds and declares that:
- a. A sound, balanced transportation system is vital to the future of the State and is a key factor in its continued economic development.
- b. The transportation infrastructure of the State is among the most heavily used in the nation and has deteriorated alarmingly in recent years, with parts of the highway system reaching the end of their useful lives. This deterioration has been caused, in part, because New Jersey, unlike most states and the federal government, has not provided a stable source of transportation funding.
- c. There exists an urgent need for a stable and assured method of financing the planning, acquisition, engineering, construction, reconstruction, repair and rehabilitation of the State's transportation system, including the financing of the State's share under federal aid highway laws of the cost of planning, acquisition, engineering, construction, reconstruction, repair, resurfacing, and rehabilitation of public highways and of the State's share of planning, acquisition, the engineering, construction, reconstruction, repair, maintenance rehabilitation of public transportation projects and other transportation projects in the State, that will enable the State to construct and maintain the safe, balanced, sound and efficient transportation system necessary for the well-being of the State's citizens.
- d. Unless additional State funding is provided immediately for the State's transportation system, the cost of repair and reconstruction will increase geometrically and the economic well-being and safety of users of the State's transportation system will be endangered.
- e. Transportation facilities under the jurisdiction of counties and municipalities form an integral and vital part of the State's transportation system. Without State aid, counties and municipalities will be unable to meet the cost of maintaining, rehabilitating and improving these facilities.

 $\label{eq:explanation-matter} \textbf{EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.}$

- f. The State's commitment to the payment for and financing of the State transportation system in a stable fashion, thus ensuring a predictable and continuing public investment in transportation and allowing the State to take full advantage of funds provided by the federal government, is a public use and public purpose for which public money may be expended and tax exemptions granted. The powers and duties of the New Jersey Transportation Trust Fund Authority and the other measures hereinafter described are necessary and proper for the purpose of achieving the ends herein recited.
 - g. Mass transit passenger service is a vital component of the transportation system in the northern part of the State. Because transit service is of such importance to that region, it is paramount that an essential group of related transit projects be constructed. These projects, known as the Circle of Mobility, would add connections to and between urban centers, ease the movement of people, goods, and services within and through the State, and enhance the economic growth of the State. However, these significant benefits cannot be completely realized unless all projects comprising the Circle of Mobility are undertaken and completed in a timely manner.
- 22 (cf: P.L.1991,c.40,s.1)

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- 2. Section 3 of P.L.1984, c73 (C.27:1B-3) is amended to read
- 3. The following words or terms as used in this act shall have the following meaning unless a different meaning clearly appears from the context:
- a. "Act" means this New Jersey Transportation Trust Fund Authority Act of 1984.
- "Authority" means the New Jersey Transportation Trust Fund Authority created by section 4 of this act.
- c. "Bonds" means bonds issued by the authority pursuant to the act.
- d. "Commissioner" the Commissioner of 34 means 35 Transportation.
 - e. "Department" means the Department of Transportation.
 - "Federal aid highway" means any highway within the State in connection with which the State receives payment or reimbursement from the federal government under the terms of Title 23, United States Code or any amendment, successor, or replacement thereof, for the purposes contained in the act.
 - g. "Federal government" means the United States of America, and any officer, department, board, commission, bureau, division, corporation, agency or instrumentality thereof.
 - "New Jersey Expressway Authority" means the public corporation created by section 4 of chapter 10 of the Laws of New Jersey of 1962 as amended or its successor.
 - "New Jersey Highway Authority" means the public corporation created by section 4 of chapter 16 of the Laws of New Jersey of 1952 as amended or its successor.
- "New Jersey Turnpike Authority" means the public 52 corporation created by section 3 of chapter 454 of the Laws of New Jersey of 1948 as amended or its successor. 53
- k. "Notes" means the notes issued by the authority pursuant to 54

the act.

- l. "Public highways" means public roads, streets, expressways, freeways, parkways, motorways and boulevards, including bridges, tunnels, overpasses, underpasses, interchanges, rest areas, express bus roadways, bus pullouts and turnarounds, park-ride facilities, traffic circles, grade separations, traffic control devices, the elimination or improvement of crossings of railroads and highways, whether at grade or not at grade, and any facilities, equipment, property, rights of way, easements and interests therein needed for the construction, improvement and maintenance of highways.
- m. "Public transportation project" means, in connection with public transportation service, passenger stations, shelters and terminals, automobile parking facilities, ramps, track connections, signal systems, power systems, information and communication systems, roadbeds, transit lanes or rights of way, equipment storage and servicing facilities, bridges, grade crossings, rail cars, locomotives, motorbuses and other motor vehicles, maintenance and garage facilities, revenue handling equipment and any other equipment, facility or property useful for or related to the provision of public transportation service.
- n. "State agency" means any officers, department, board, commission, bureau, division, agency or instrumentality of the State.
- o. "Toll road authorities" means and includes the New Jersey Turnpike Authority, the New Jersey Highway Authority and the New Jersey Expressway Authority.
- p. "Transportation project" means, in addition to public highways and public transportation projects, any equipment, facility or property useful or related to the provision of any ground, waterborne or air transportation for the movement of people and goods.
- q. "Transportation system" means public highways, public transportation projects, other transportation projects, and all other methods of transportation for the movement of people and goods.
- r. "Maintenance" means, in relation to public transportation projects, direct costs of work necessary for preserving or maintaining the useful life of public transportation projects, provided the work performed is associated with the acquisition, installation and rehabilitation of components which are not included in the normal operating maintenance of equipment and facilities or replaced on a scheduled basis. The work shall ensure the useful life of the project for not less than four years and shall not include routine maintenance or inspection of equipment and facilities that is conducted on a scheduled basis. This definition shall not apply to the term "maintenance" as used in subsection l. of this section.
- s. "Circle of Mobility" means an essential group of related transit projects that include (1) the New Jersey Urban Core Project, as defined in section 3031 of the "Intermodal Surface Transportation Efficiency Act of 1991," Pub. L. 102-240, and consisting of the following elements: Secaucus Transfer, Kearny Connection, Waterfront Connection, Northeast Corridor Signal

System, Hudson River Waterfront Transportation System, 1 2 Newark-Newark International Airport-Elizabeth Transit Link, a 3 rail connection between Penn Station Newark and Broad Street Station, Newark, New York Penn Station Concourse, and the 4 equipment needed to operate revenue service associated with 5 improvements made by the project, and (2) 1the modification and 6 reconstruction of the West Shore Line in Bergen County 7 8 connected to Allied Junction/Secaucus Transfer Meadowlands Rail Center; 1 the construction of a rail station and associated 9 components at the Meadowlands Sports Complex; 1the 10 modification and reconstruction of the Susquehanna and Western 11 Railway, as defined and provided in section 3035 (a) of the 12 "Intermodal Surface Transportation Efficiency Act of 1991"; and 13 the modification and reconstruction of the Lackawanna Cutoff 14 Commuter Rail Line connecting Morris, Sussex and Warren 15 Counties to the North Jersey Transportation Rail Centers¹. 16 17 (cf: P.L.1992,c.10,s.1)

3. (New section) a. The Commissioner of Transportation shall annually include in the list of proposed projects submitted to the Legislature pursuant to section 22 of P.L.1984, c.73 (C.27:1B-22)

¹annual funding for such ¹ projects as are necessary to complete the Circle of Mobility, as defined in section 3 of P.L.1984, c.73

(C.27:1B-3). The Legislature shall annually appropriate from the revenues and other funds of the New Jersey Transportation Trust Fund Authority such sums as are necessary to effectuate this

completion.

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The New Jersey Transit Corporation shall proceed expeditiously to complete the Circle of Mobility. To insure adherence to this requirement, the corporation shall provide a schedule for this completion, as well as periodic progress reports on the status of the various projects comprising the Circle of Mobility, including but not limited to project descriptions, the construction status to date of each project, additional work required, together with related time schedules to complete each project, the amounts and sources of funds appropriated to date and the estimated additional amounts and sources of funds needed to complete each project, and any modification to the original scope of a project, to the Senate Transportation Committee, the Assembly Transportation and Communications Committee, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee, with the schedule due 60 days after the effective date of this act and the progress reports at six month intervals thereafter.

4. This act shall take effect immediately.

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Requires DOT Commissioner and NJ Transit to take expeditious action to complete all projects comprising the Circle of Mobility.

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- 1 System, Hudson River Waterfront Transportation System,
- 2 Newark-Newark International Airport-Elizabeth Transit Link, a
- 3 rail connection between Penn Station Newark and Broad Street
- 4 Station, Newark, New York Penn Station Concourse, and the
- 5 equipment needed to operate revenue service associated with
- 6 improvements made by the project, and (2) the construction of a
- 7 rail station and associated components at the Meadowlands Sports
- 8 Complex.

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- 9 (cf: P.L.1992,c.10,s.1)
 - 3. (New section) a. The Commissioner of Transportation shall annually include in the list of proposed projects submitted to the Legislature pursuant to section 22 of P.L.1984, c.73 (C.27:1B-22) such projects as are necessary to complete the Circle of Mobility, as defined in section 3 of P.L.1984, c.73 (C.27:1B-3). The Legislature shall annually appropriate from the revenues and other funds of the New Jersey Transportation Trust Fund Authority such sums as are necessary to effectuate this completion.
 - The New Jersey Transit Corporation shall proceed h. expeditiously to complete the Circle of Mobility. To insure adherence to this requirement, the corporation shall provide a schedule for this completion, as well as periodic progress reports on the status of the various projects comprising the Circle of Mobility, including out not limited to project descriptions, the construction status to date of each project, additional work required, together with related time schedules to complete each project, the amounts and sources of funds appropriated to date and the estimated additional amounts and sources of funds needed to complete each project, and any modification to the original scope of a project, to the Senate Transportation Committee, the Assembly Transportation and Communications Committee, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee, with the schedule due 60 days after the effective date of this act and the progress reports at six month intervals thereafter.
 - 4. This act shall take effect immediately.

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STATEMENT

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The Circle of Mobility is an essential group of related transit projects in northern New Jersey that would greatly expand and improve the State's transportation system. The importance of this multi-faceted project has been acknowledged by the federal government and federal funding is specifically authorized for most elements of this project by the Intermodal Surface Transportation Efficiency Act of 1991. However, the significant benefits of adding connections to and between urban centers, easing the movement of people, goods, and services within and through the State, and enhancing the economic growth of the State would not be completely achieved if all elements of this project are not constructed.

This bill amends and supplements the "New Jersey Transportation Trust Fund Authority Act of 1984," P.L.1984, c.73

S10

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(C.27:1B-1 et seq) and directs the Commissioner Transportation to include in the proposed list of projects annually submitted to the Legislature, such projects as are necessary to complete the Circle of Mobility. In turn, the Legislature would then annually appropriate such sums as are necessary from the revenues and other funds of the New Jersey Transportation Trust Fund Authority to effectuate this completion. The bill also directs the New Jersey Transit Corporation to construct all projects comprising the Circle of Mobility to assure that the State receives all the benefits possible from this undertaking. The bill further requires that the corporation provide a schedule for the completion of all elements of the project and report to the respective legislative transportation committees, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee every six months on the status of the various elements of this multi-faceted project. These reports would keep the Legislature regularly informed on the progress of these transit projects and would provide early notice of any obstacles hindering completion of the Circle of Mobility.

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Requires DOT Commissioner and NJ Transit to take expeditious action to complete all projects comprising the Circle of Mobility.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT] SENATE, No. 10

STATE OF NEW JERSEY

DATED: JULY 13, 1994

The Assembly Transportation and Communications Committee favorably reports Senate Bill No. 10 (1R).

This bill changes and supplements the "New Jersey Transportation Trust Fund Authority Act of 1984," P.L.1984, c.73 (C.27:1B-1 et seq), and directs the Commissioner of Transportation to include in the proposed list of projects submitted annually to the Legislature, those that are necessary to complete the "Circle of Mobility." In turn, the Legislature is to annually appropriate from revenues and other sources of the New Jersey Transportation Trust Fund Authority the funds necessary to complete these projects. The "Circle of Mobility" is a group of related transit projects in northern New Jersey that would improve rail services in the northern part of the State.

The bill also directs the New Jersey Transit Corporation to proceed expeditiously in the construction of the projects comprising the "Circle of Mobility." The corporation is to prepare a schedule for the completion of all the elements of the project and report to the respective legislative transportation committees, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee every six months on the status of the various elements of this multi-faceted project.

As reported by the committee, this bill is identical to Assembly Bill No. 1617 as amended and released this date.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT] SENATE, No. 10

STATE OF NEW JERSEY

DATED: JANUARY 19, 1995

The Assembly Appropriations Committee reports favorably Senate Bill No. 10 (1R).

Senate Bill No. 10 (1R) changes and supplements the "New Jersey Transportation Trust Fund Authority Act of 1984," P.L.1984, c.73 (C.27:1B-1 et seq), and directs the Commissioner of Transportation to include in the proposed list of projects submitted annually to the Legislature, those that are necessary to complete the "Circle of Mobility." In turn, the Legislature is to annually appropriate from revenues and other sources of the New Jersey Transportation Trust Fund Authority the funds necessary to complete these projects. The "Circle of Mobility" is a group of related transit projects in northern New Jersey that would improve rail services in the northern part of the State.

The bill also directs the New Jersey Transit Corporation to proceed expeditiously in the construction of the projects comprising the "Circle of Mobility." The corporation is to prepare a schedule for the completion of all the elements of the project and report to the respective legislative transportation committees, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee every six months on the status of the various elements of this multi-faceted project.

As reported by the committee, this bill is identical to Assembly Bill No. 1617 (1R).

FISCAL IMPACT:

Based on estimates of the New Jersey Transit Corporation, the group of projects comprising the "Circle of Mobility" will cost at least \$2.0 billion to complete. Of this total amount, 1991 federal legislation authorizes \$634 million towards the New Jersey Urban Core Project, the most significant component of the Circle of Mobility. Because the federal legislation only authorizes funding for the six year period from 1992 through 1997, it is anticipated that Congress will authorize federal funding to continue after 1997 and that New Jersey would seek to obtain additional federal support of at least the same amount for the Circle of Mobility. The remaining project funding needs are expected to be provided essentially by the New Jersey Transportation Trust Fund and by contributions from developers who enter into certain use agreements with New Jersey Transit.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 10

STATE OF NEW JERSEY

DATED: JUNE 6, 1994

The Senate Transportation Committee favorably reports Senate Bill No. 10.

The Circle of Mobility is an essential group of related transit projects in northern New Jersey that would greatly expand and improve the State's transportation system. The importance of this multi-faceted project has been acknowledged by the federal government and federal funding is specifically authorized for most elements of this project by the Intermodal Surface Transportation Efficiency Act of 1991. However, the significant benefits of adding connections to and between urban centers, easing the movement of people, goods, and services within and through the State, and enhancing the economic growth of the State would not be completely achieved if all elements of this project are not constructed.

This bill amends and supplements the "New Transportation Trust Fund Authority Act of 1984," P.L.1984, c.73 (C.27:1B-1 et seq) and directs the Commissioner of Transportation to include in the proposed list of projects annually submitted to the Legislature, such projects as are necessary to complete the Circle of Mobility. In turn, the Legislature would then annually appropriate such sums as are necessary from the revenues and other funds of the New Jersey Transportation Trust Fund Authority to effectuate this completion. The bill also directs the New Jersey Transit Corporation to construct all projects comprising the Circle of Mobility to assure that the State receives all the benefits possible from this undertaking. The bill further requires that the corporation provide a schedule for the completion of all elements of the project and report to the respective legislative transportation committees, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee every six months on the status of the various elements of this multi-faceted project. These reports would keep the Legislature regularly informed on the progress of these transit projects and would provide early notice of any obstacles hindering completion of the Circle of Mobility.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 10

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 1994

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 10, with committee amendments.

Senate Bill No. 10, as amended, changes and supplements the "New Jersey Transportation Trust Fund Authority Act of 1984," P.L.1984, c.73 (C.27:1B-1 et seq), and directs the Commissioner of Transportation to include in the proposed list of projects submitted annually to the Legislature, those that are necessary to complete the "Circle of Mobility." In turn, the Legislature is to annually appropriate from revenues and other sources of the New Jersey Transportation Trust Fund Authority the funds necessary to complete these projects. The "Circle of Mobility" is a group of related transit projects in northern New Jersey that would improve rail services in the northern part of the State.

The bill also directs the New Jersey Transit Corporation to proceed expeditiously in the construction of the projects comprising the "Circle of Mobility." The corporation is to prepare a schedule for the completion of all the elements of the project and report to the respective legislative transportation committees, the Senate Legislative Oversight Committee, and the Assembly Regulatory Oversight Committee every six months on the status of the various elements of this multi-faceted project.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- Change the definition of "Circle of Mobility" by adding several other projects.
- Clarify in section 2 of the bill that the Commissioner of Transportation's annual project list should include annual funding for the projects on the list that are elements of the Circle of Mobility.

FISCAL IMPACT

Based on the estimates of the New Transit Corporation, the "Circle of Mobility" projects will cost at least \$2 billion of State and federal funds. Of the total amount, the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 is authorized to provide \$634 million toward the New Jersey Urban Core Project, the most significant component of the "Circle of Mobility." However, ISTEA has only authorized federal transportation funding for highway and mass transit purposes for the six year

period from 1992 through 1997. It is anticipated that the Congress will authorize a federal transportation funding program to continue after 1997; it is also anticipated that New Jersey will seek to obtain additional federal support, at least equivalent to the amount provided in ISTEA, in such future federal transportation funding renewal authorization for the "Circle of Mobility".

The State funds will be provided essentially by appropriations from the New Jersey Transportation Trust Fund and contributions from developers who enter into certain use agreements with New Jersey Transit.

SENATE, No. 10

STATE OF NEW JERSEY

DATED: July 8, 1994

Senate Bill No. 10 of 1994 directs the Commissioner of Transportation to include in the proposed list of projects annually submitted to the Legislature, such projects as are necessary to complete the Circle of Mobility. In turn, the Legislature would annually appropriate from the revenues and other funds of the New Jersey Transportation Trust Fund Authority such sums as needed to effectuate the completion of the Circle of Mobility.

The Circle of Mobility, as defined in this bill, is a group of related transit projects that would improve transit services in the northern part of the State. Based on estimates of the New Jersey Transit Corporation, this group of projects which includes the Secaucus Transfer, Kearny Connection, Waterfront Connection, Northeast Corridor Signal System, Hudson River Waterfront Transportation System, Newark-Newark International Airport-Elizabeth Transit Link, a rail connection between Penn Station Newark and Broad Street Station Newark, New York Penn Station Concourse, a rail station and associated components at the Meadowlands Sports Complex, and related equipment will cost at least \$2.0 billion to complete. Of this total amount, the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 is authorized to provide \$634 million towards the New Jersey Urban Core Project, the most significant component of the Circle of Since ISTEA only authorizes federal transportation funding for highway and mass transit purposes for the six year period from 1992 through 1997, it is anticipated that the Congress would authorize a federal transportation funding program to continue after 1997; it is also anticipated that New Jersey would seek to obtain additional federal support, at least equivalent to the amount provided in ISTEA, in such future federal transportation funding renewal authorization for the Circle of Mobility. remaining project funding needs are expected to be provided essentially by the New Jersey Transportation Trust Fund and by contributions from developers who enter into certain use agreements with New Jersey Transit.

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.



OFFICE OF THE GOVERNOR **NEWS RELEASE**

CN-001

Contact: CARL GOLDEN 609-777-2205 TRENTON, N.J. 08625 Release: IMMEDIATE APRIL 12, 1995

Gov. Christie Whitman today signed legislation to move the Circle of Mobility --- a group of related rail and other public transportation transit projects in northern New Jersey --- a step closer to completion.

legislation directs The the Commissioner Department of Transportation to include the Circle of Mobility projects in the list submitted annually to the Legislature and requires the Legislature to provide funds for the projects from the Transportation Trust Fund.

The legislation, S-10, was signed by the Governor at a public ceremony in the Hoboken train terminal. It was sponsored by Senate President Donald DiFrancesco, R-Union.

Among the major projects to be funded to complete the Circle of Mobility are:

The New Jersey Urban Core, consisting of the Secaucus Transfer, the Kearny Connection, the Waterfront Connection, the Northeast Corridor Signal System, the Hudson River Waterfront Transportation System, the Newark-Elizabeth-Newark Airport transit link.

The construction of a rail station and associated components at the Meadowlands Sports Complex

The modification and reconstruction of the West Shore Line in Bergen County

The modification and reconstruction of the Susquehanna and Western Railway

The modification and reconstruction of the Lackawanna Cutoff Commuter rail line connecting Morris, Sussex and Warren counties to the North Jersey transportation rail centers.

"When completed, the Circle of Mobility projects will give New Jersey a modern, fully integrated system of mass transit which will bring substantial economic benefits to the region as well," Whitman said. "Today's bill signing is a giant stride toward realization of years of planning, hard work and dedication reaching back through two prior Administrations."