

39:4-8

LEGISLATIVE HISTORY CHECKLIST
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(Roads--regulation of traffic)

NJSA: 39:4-8

LAWS OF: 1995 **CHAPTER:** 412

BILL NO: A1533

SPONSOR(S): Murphy and others

DATE INTRODUCED: March 15, 1995

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Transportation

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

DATE OF PASSAGE: **ASSEMBLY:** June 20, 1996
SENATE: January 9, 1996

DATE OF APPROVAL: January 10, 1996

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

[FIRST REPRINT]

ASSEMBLY, No. 1533

STATE OF NEW JERSEY

INTRODUCED MARCH 15, 1994

By Assemblywoman MURPHY, Assemblymen ARNONE,
Frelinghuysen, DeCroce, Kamin and Assemblywoman Heck

1 AN ACT concerning the regulation of traffic by municipalities
2 and counties¹ and amending R.S.39:4-8.

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

6 1. R.S.39:4-8 is amended to read as follows.

7 39:4-8. a. Except as otherwise provided in this section, no
8 ordinance or resolution concerning, regulating or governing
9 traffic or traffic conditions, adopted or enacted by any board or
10 body having jurisdiction over highways, shall be of any force or
11 effect unless the same is approved by the Commissioner of
12 Transportation, according to law. The commissioner shall not be
13 required to approve any such ordinance, resolution or regulation,
14 unless, after investigation by him, the same shall appear to be in
15 the interest of safety and the expedition of traffic on the public
16 highways.

17 b. In the case of totally self-contained streets under municipal
18 jurisdiction which have no direct connection with any street in
19 any other municipality, or in the case of totally self-contained
20 streets under county jurisdiction which have no direct connection
21 with any street in any other county,¹ the municipality or
22 county¹ may, by ordinance or resolution, as appropriate,¹
23 without the approval of the Commissioner of Transportation,
24 designate reasonable and safe speed limits and erect appropriate
25 signs [and], designate any intersection as a stop or yield
26 intersection and erect appropriate signs and place longitudinal
27 pavement markings delineating the separation of traffic flows
28 and the edge of the pavement, provided that the municipal or
29 county¹ engineer shall, under his seal as a licensed professional
30 engineer, certify to the municipal or county¹ governing body ,
31 as appropriate,¹ that any designation or erection of signs or
32 placement of markings: (1) has been approved by him after
33 investigation by him of the circumstances, (2) appears to him to
34 be in the interest of safety and the expedition of traffic on the
35 public highways and (3) conforms to the current standards
36 prescribed by the Manual of Uniform Traffic Control Devices for
37 Streets and Highways, as adopted by the Commissioner of
38 Transportation.

39 A certified copy of the adopted ordinance or resolution, as
40 appropriate,¹ shall be transmitted by the clerk of the
41 municipality or county, as appropriate,¹ to the commissioner
42 within 30 days of adoption, together with a copy of 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:

¹ Senate STR committee amendments adopted January 23, 1995.

1 engineer's certification; a statement of the reasons for the
2 engineer's decision; detailed information as to the location of
3 streets, intersections and signs affected by any designation or
4 erection of signs or placement of markings; and traffic count,
5 accident and speed sampling data, when appropriate.

6 Nothing in this subsection shall allow municipalities to
7 designate any intersection with any highway under State or
8 county jurisdiction as a stop or yield intersection ¹or counties to
9 designate any intersection with any highway under State or
10 municipal jurisdiction as a stop or yield intersection¹.

11 c. Subject to the provisions of R.S.39:4-138, in the case of any
12 street under municipal or county jurisdiction, a municipality or
13 county may, without the approval of the Commissioner of
14 Transportation, do the following:

15 By ordinance or resolution:

16 (1) prohibit general parking;

17 (2) designate restricted parking under section 1 of P.L.1977,
18 c.309 (C.39:4-197.6);

19 (3) designate time limit parking; and

20 (4) install parking meters.

21 By ordinance, resolution or regulation:

22 (1) designate loading and unloading zones and taxi stands;

23 (2) approve street closings for periods up to 48 continuous
24 hours; and

25 (3) designate restricted parking under section 1 of P.L.1977,
26 c.202 (C.39:4-197.5).

27 Nothing in this subsection shall allow municipalities or counties
28 to establish angle parking or to reinstate or add parking on any
29 street, or approve the closure of streets for more than 48
30 continuous hours, without the approval of the Commissioner of
31 Transportation.

32 (cf: P.L.1993, c.122)

33 2. This act shall take effect immediately.

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38 Allows municipalities and counties to stripe certain roads without
39 DOT approval.

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2 designate any intersection with any highway under State or
3 county jurisdiction as a stop or yield intersection. c
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5 street under municipal or county jurisdiction, a municipality or
6 county may, without the approval of the Commissioner of
7 Transportation, do the following:
- 8 By ordinance or resolution:
- 9 (1) prohibit general parking;
 - 10 (2) designate restricted parking under section 1 of P.L.1977,
11 c.309 (C.39:4-197.6);
 - 12 (3) designate time limit parking; and
 - 13 (4) install parking meters.
- 14 By ordinance, resolution or regulation:
- 15 (1) designate loading and unloading zones and taxi stands;
 - 16 (2) approve street closings for periods up to 48 continuous
17 hours; and
 - 18 (3) designate restricted parking under section 1 of P.L.1977,
19 c.202 (C.39:4-197.5).
- 20 Nothing in this subsection shall allow municipalities or counties
21 to establish angle parking or to reinstate or add parking on any
22 street, or approve the closure of streets for more than 48
23 continuous hours, without the approval of the Commissioner of
24 Transportation.
25 (cf: P.L.1993,c.122)
- 26 2. This act shall take effect immediately.

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29 STATEMENT
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31 This bill allows a municipality to designate, by ordinance, the
32 placement of longitudinal pavement markings on a street entirely
33 within the municipality without first obtaining the approval of
34 the Commissioner of Transportation. A municipality is granted
35 this authority provided that the municipal engineer certifies to
36 the municipal governing body that the placement of any such
37 markings has been approved by the engineer, is in the best
38 interests of safety and conforms to the Manual on Uniform
39 Traffic Control Devices for Streets and Highways. According to
40 the manual, longitudinal pavement markings include center lines,
41 lane lines and shoulder lines. The bill requires the clerk of the
42 municipality to transmit a copy of the engineer's certification,
43 as well as a copy of the adopted ordinance, within 30 days of
44 adoption, to the commissioner.
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50 _____
Allows municipality to stripe roads without DOT approval.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1533

STATE OF NEW JERSEY

DATED: MAY 2, 1994

The Assembly Local Government Committee reports favorably Assembly Bill No. 1533.

This bill allows a municipality to designate, by ordinance, the placement of longitudinal pavement markings on a street entirely within the municipality without first obtaining the approval of the Commissioner of Transportation. A municipality is granted this authority provided that the municipal engineer certifies to the municipal governing body that the placement of any such markings has been approved by the engineer, is in the best interests of safety and conforms to the Manual on Uniform Traffic Control Devices for Streets and Highways. According to the manual, longitudinal pavement markings include center lines, lane lines and shoulder lines. The bill requires the clerk of the municipality to transmit a copy of the engineer's certification, as well as a copy of the adopted ordinance, within 30 days of adoption, to the commissioner.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1533

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 23, 1995

The Senate Transportation Committee favorably reports Assembly Bill No. 1533 with committee amendments.

The bill, as amended by the committee, would permit municipalities and counties, by ordinance or resolution, as appropriate, without the approval of the Commissioner of Transportation, to respectively designate the placement of longitudinal pavement markings on totally self-contained streets under municipal jurisdiction which have no direct connection with any street in any other municipality or on totally self-contained streets under county jurisdiction which have no direct connection with any street in any other county. The municipalities and counties are granted this authority provided that the municipal or county engineer, as the case may be, certifies to the municipal or county governing body that the placement of any such markings has been approved by the engineer, is in the best interests of safety and conforms to the Manual on Uniform Traffic Control Devices for Streets and Highways. According to the manual, longitudinal pavement markings include center lines, lane lines and shoulder lines. The amended bill requires the clerk of the municipality or county, as the case may be, to transmit a copy of the engineer's certification, as well as copy of the adopted ordinance or resolution, within 30 days of adoption to the commissioner. The amended bill also permits those other provisions of R.S.39:4-8 pertaining to self-contained streets under municipal jurisdiction to also apply to self-contained streets under county jurisdiction, as in the case of designating speed limits, and designating stop or yield intersections.

The committee amended the bill to include totally self-contained streets under county jurisdiction which have no direct connection with any street in any other county under the provisions of the bill and to permit counties to place longitudinal pavement markings delineating the separation of traffic flows and the edge of the pavement, provided they follow procedures which are similar to those provided for municipalities. In addition, the amendments permit those other provisions of R.S.39:4-8 pertaining to municipalities also to pertain to counties with respect to designating speed limits and stop or yield intersections on self-contained streets under county jurisdiction.