

39:4-203.5

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

(MV offenses--violations in
areas of road construction)

NJSA: 39:4-203.5

LAWS OF: 1993 CHAPTER: 332

BILL NO: A2262

SPONSOR(S) Imprevuto and others

DATE INTRODUCED: February 8, 1993

COMMITTEE: ASSEMBLY: Judiciary

SENATE: ---

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

DATE OF PASSAGE: ASSEMBLY: May 13, 1993

SENATE: December 2, 1993

DATE OF APPROVAL: December 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached.
KBG:pp

Do Not Remove from Library

Also attached: Senate
amendments, adopted
6-10-93 (with statement)

Legislative History Checklist
(Compiled by the Office of Legislative Services Library)

Synopsis: Doubles fines for certain motor vehicle offenses committed on segments of highways undergoing construction or repair.

Bill No.: A2262

P.L. 1993, c. 332

Identical to: S831/1667 (SCS/1R)
Substituted for: S831/1667 (SCS/1R)
Combined with:
Last Session Bill No.:

See Above Bill(s) for Additional History

NJSA: 39:4-203.5

Sponsor(s): Impreveduto/Lance+4

Date Introduced: 02/08/93

Committee Reference:

Statement:

Public Hearing:

Assembly:

Judiciary, Law and Public Safety

Yes

No

Senate:

(Without reference)

Sponsor Statement: Yes

Fiscal Note: Yes

Dates of Passage:

Assembly:

05/13/93 (72-0)
12/13/93 (74-0)

Senate:

12/02/93 (33-0)

Amended During Passage: Yes

Governor's Action:

Veto: No

Date of Veto:

Date of Approval: 12/23/93

Message on Signing: No

Additional Information:

P.L.1993, CHAPTER 332, approved December 23, 1993
1993 Assembly No. 2262 (Third Reprint)

1 AN ACT concerning certain motor vehicle offenses and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6 1. a. For the purposes of this act:

7 "Area of highway construction or repair" means that segment
8 of any highway which is identified by properly posted traffic
9 control devices or signs as undergoing construction,
10 reconstruction, repair, or maintenance operation. An area of
11 highway construction or repair shall consist of that area between
12 the first traffic control device or sign informing motor vehicle
13 operators of their approaching highway construction or repair and
14 the last traffic control device or sign indicating all restrictions
15 are removed and normal motor vehicle operations may resume.

16 "Highway" means any highway under the jurisdiction of the
17 State Department of Transportation ², a county ³[or] a ³
18 municipality² or ²[any highway under the jurisdiction of]² a toll
19 road ²[authorities]² authority.

20 "Toll road ²[authorities] authority²" means the New Jersey
21 Turnpike Authority, the New Jersey Highway Authority, ²[and]
22 or² the ¹[New Jersey Expressway Authority] South Jersey
23 Transportation Authority¹.

24 b. The fine for a motor vehicle offense embodied in the
25 following sections of statutory law, when committed in an area of
26 highway construction or repair, shall be double the amount
27 specified by law:

28 ³Subsection b. of³ R.S.39:3-20³[(b)]³;

29 R.S.39:4-52;

30 R.S.39:4-57;

31 R.S.39:4-71;

32 R.S.39:4-80;

33 R.S.39:4-81;

34 R.S.39:4-82;

35 R.S.39:4-83;

36 R.S.39:4-84;

37 R.S.39:4-85;

38 R.S.39:4-86;

39 R.S.39:4-88;

40 R.S.39:4-89;

41 R.S.39:4-90;

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 Assembly AJL committee amendments adopted March 22, 1993.

² Assembly floor amendments adopted May 13, 1993.

³ Senate floor amendments adopted June 10, 1993.

1 R.S.39:4-96;
2 R.S.39:4-97;
3 R.S.39:4-98;
4 R.S.39:4-99;
5 R.S.39:4-105;
6 R.S.39:4-115;
7 R.S.39:4-119;
8 R.S.39:4-122;
9 R.S.39:4-123;
10 R.S.39:4-124;
11 R.S.39:4-125;
12 R.S.39:4-127;
13 R.S.39:4-129;
14 R.S.39:4-144;
15 P.L.1955, c.217 (C.39:5C-1);
16 Section 48 of P.L.1951, c.23 (C.39:4-66.1);
17 Section 41 of P.L.1951, c.23 (C.39:4-82.1);
18 Section 51 of P.L.1951, c.23 (C.39:4-90.1);
19 Section 5 of P.L.1951, c.264 (C.27:23-29);
20 Section 18 of P.L.1952, c.16 (C.27:12B-18); ³and³
21 ¹[Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L.
22 1991, c.252 (C.27:25A-21).¹
23 c. ³(1)³ Signs designed in compliance with the specifications
24 of the Department of Transportation or, if appropriate, the toll
25 road ²[authorities] authority² having jurisdiction over the
26 appropriate highway, shall be appropriately placed, by order of
27 the Commissioner of Transportation, ²the appropriate local
28 official,² or the affected toll road ²[authorities] authority², as
29 the case may be, to notify drivers approaching areas of highway
30 construction and repair that the fines are doubled for motor
31 vehicle offenses in those areas.
32 ³(2) In addition, all traffic control signs and devices erected or
33 displayed by the State Department of Transportation, a county, a
34 municipality or a toll road authority within an area of highway
35 construction or repair shall conform to the uniform system
36 specified in the most current "Manual on Uniform Traffic Control
37 Devices for Streets and Highways," prepared by the Federal
38 Highway Administration in the United States Department of
39 Transportation.³
40 d. It shall not be a defense to the imposition of the fines
41 authorized under the provisions of this act that a sign notifying
42 drivers who are approaching highway construction or repair areas
43 that fines are doubled for motor vehicle offenses in those areas
44 was not posted, improperly posted, wrongfully removed or
45 stolen³, or that signs or devices were not placed in compliance
46 with the most current "Manual on Uniform Traffic Control
47 Devices for Streets and Highways" as required pursuant to
48 paragraph (2) of subsection c. of this section³.
49 ²e. The director shall include information concerning the
50 penalties imposed pursuant to this act in any subsequent revision
51 of the New Jersey Driver Manual and the New Jersey Motorist
52 Guide.²
53 2. This act shall take effect on the 60th day following
54 enactment.

1

2

3 **Doubles fines for certain motor vehicle offenses committed on**
4 **segments of highways undergoing construction or repair.**

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1993

By Assemblymen IMPREVEDUO, LANCE,
Haytaian, Doria and Kronick

1 AN ACT concerning certain motor vehicle offenses and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6 1. a. For the purposes of this act:

7 "Area of highway construction or repair" means that segment
8 of any highway which is identified by properly posted traffic
9 control devices or signs as undergoing construction,
10 reconstruction, repair, or maintenance operation. An area of
11 highway construction or repair shall consist of that area between
12 the first traffic control device or sign informing motor vehicle
13 operators of their approaching highway construction or repair and
14 the last traffic control device or sign indicating all restrictions
15 are removed and normal motor vehicle operations may resume.

16 "Highway" means any highway under the jurisdiction of the
17 State Department of Transportation or any highway under the
18 jurisdiction of a toll road authorities.

19 "Toll road authorities" means the New Jersey Turnpike
20 Authority, the New Jersey Highway Authority, and the New
21 Jersey Expressway Authority.

22 b. The fine for a motor vehicle offense embodied in the
23 following sections of statutory law, when committed in an area of
24 highway construction or repair, shall be double the amount
25 specified by law:

26 R.S.39:3-20(b)

27 R.S.39:4-52

28 R.S.39:4-57

29 R.S.39:4-71

30 R.S.39:4-80

31 R.S.39:4-81

32 R.S.39:4-82

33 R.S.39:4-83

34 R.S.39:4-84

35 R.S.39:4-85

36 R.S.39:4-86

37 R.S.39:4-88

38 R.S.39:4-89

39 R.S.39:4-90

40 R.S.39:4-96

41 R.S.39:4-97

42 R.S.39:4-98

43 R.S.39:4-99

44 R.S.39:4-106

45 R.S.39:4-115

1 R.S.39:4-119
2 R.S.39:4-122
3 R.S.39:4-123
4 R.S.39:4-124
5 R.S.39:4-125
6 R.S.39:4-127
7 R.S.39:4-129
8 R.S.39:4-144
9 P.L.1955, c.217 (C.39:5C-1)
10 Section 48 of P.L.1951, c.23 (C.39:4-66.1)
11 Section 41 of P.L.1951, c.23 (C.39:4-82.1)
12 Section 51 of P.L.1951, c.23 (C.39:4-90.1)
13 Section 5 of P.L.1951, c.264 (C.27:23-29)
14 Section 18 of P.L.1952, c.16 (C.27:12B-18)
15 Section 37 of P.L.1962, c.10 (C.27:12C-37)

16 c. Signs designed in compliance with the specifications of the
17 Department of Transportation or, if appropriate, the toll road
18 authorities having jurisdiction over the appropriate highway, shall
19 be appropriately placed, by order of the Commissioner of
20 Transportation or the affected toll road authorities, as the case
21 may be, to notify drivers approaching areas of highway
22 construction and repair that the fines are doubled for motor
23 vehicle offenses in those areas.

24 d. It shall not be a defense to the imposition of the fines
25 authorized under the provisions of this act that a sign notifying
26 drivers who are approaching highway construction or repair areas
27 that fines are doubled for motor vehicle offenses in those areas
28 was not posted, improperly posted, wrongfully removed or stolen.

29 2. This act shall take effect on the 60th day following
30 enactment.

31
32

33 STATEMENT

34

35 This bill doubles the fines for certain motor vehicle offenses
36 committed in areas where highway construction or repairs are
37 taking place.

38 The provisions of the bill apply to all highways under the
39 jurisdiction of the State Department of Transportation and
40 highways under the jurisdiction of toll road authorities.

41 Since the primary objective of this bill is to protect road
42 workers, the motor vehicle offenses covered by the bill are all
43 moving violations. The offenses specifically identified in the bill
44 include, among others: reckless driving, careless driving,
45 speeding, improper passing, tailgating, improper turns, failure to
46 observe traffic lanes, failure to observe a traffic signal or sign,
47 and failure to obey directions of an officer.

48 Finally, the bill specifies that the failure to post, the improper
49 posting, the wrongful removal, or the theft of a sign notifying
50 motorists that the fines for offenses occurring on segments of
51 highways undergoing construction or repair are doubled is not a
52 defense to the imposition of the additional fines.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2262

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 22, 1993

The Assembly Judiciary, Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2262.

This bill doubles the fines for certain motor vehicle offenses committed in areas where highway construction or repairs are taking place. Subsection b. of section 1 of the bill sets forth the sections in Title 39 and Title 27 which are affected.

Since the primary objective of this bill is to protect road workers, the motor vehicle offenses covered by the bill are all moving violations. The offenses specifically identified in the bill include, among others: reckless driving, careless driving, speeding, improper passing, tailgating, improper turns, failure to observe traffic lanes, failure to observe a traffic signal or sign, and failure to obey directions of an officer.

The provisions of the bill apply to all highways under the jurisdiction of the State Department of Transportation and highways under the jurisdiction of toll road authorities. The committee amended the bill to correct the reference to South Jersey Transportation Authority as the successor to the New Jersey Expressway Authority pursuant to P.L.1991, c.252 and the reference to motor vehicle violations to N.J.S.A.27:25A-21.

Finally, the bill specifies that the failure to post, the improper posting, the wrongful removal, or the theft of a sign notifying motorists that the fines for offenses occurring on segments of highways undergoing construction or repair are doubled is not a defense to the imposition of the additional fines.

ASSEMBLY AIL COMMITTEE

AMENDMENTS

MAR 22 1993

to

Assembly, No. 2262

(Sponsored by Assemblymen Impreveduto and Lance)

REPLACE SECTION 1 TO READ:

1. a. For the purposes of this act:

"Area of highway construction or repair" means that segment of any highway which is identified by properly posted traffic control devices or signs as undergoing construction, reconstruction, repair, or maintenance operation. An area of highway construction or repair shall consist of that area between the first traffic control device or sign informing motor vehicle operators of their approaching highway construction or repair and the last traffic control device or sign indicating all restrictions are removed and normal motor vehicle operations may resume.

"Highway" means any highway under the jurisdiction of the State Department of Transportation or any highway under the jurisdiction of a toll road authorities.

"Toll road authorities" means the New Jersey Turnpike Authority, the New Jersey Highway Authority, and the ¹[New Jersey Expressway Authority] South Jersey Transportation Authority^{1 OK}

b. The fine for a motor vehicle offense embodied in the following sections of statutory law, when committed in an area of highway construction or repair, shall be double the amount specified by law:

- R.S.39:3-20(b)^{OK}
- R.S.39:4-52
- R.S.39:4-57 ^{OK}
- R.S.39:4-71 ^{OK}
- R.S.39:4-80
- R.S.39:4-81 ^{OK}
- R.S.39:4-82 ^{OK}
- R.S.39:4-83 ^{OK}
- R.S.39:4-84
- R.S.39:4-85 ^{OK}
- R.S.39:4-86 ^{OK}
- R.S.39:4-88 ^{OK}
- R.S.39:4-89
- R.S.39:4-90 ^{OK}
- R.S.39:4-96 ^{OK}
- R.S.39:4-97 ^{OK}
- R.S.39:4-98 ^{OK}
- R.S.39:4-99 ^{OK}
- R.S.39:4-105
- R.S.39:4-115 ^{OK}

R.S.39:4-119^{ok}

R.S.39:4-122

R.S.39:4-123^{ok}

R.S.39:4-124^{ok}

R.S.39:4-125^{ok}

R.S.39:4-127

R.S.39:4-129^{ok}

R.S.39:4-144^{ok}

ok P.L.1955, c.217 (C.39:5C-1)

ok Section 48 of P.L.1951, c.23 (C.39:4-86.1)

ok Section 41 of P.L.1951, c.23 (C.39:4-82.1)

ok Section 51 of P.L.1951, c.23 (C.39:4-90.1)

ok Section 5 of P.L.1951, c.264 (C.27:23-29)

ok Section 18 of P.L.1952, c.16 (C.27:12B-18)

¹ [Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L. 1991, c. 252 (C.27:25A-21) ¹

c. Signs designed in compliance with the specifications of the Department of Transportation or, if appropriate, the toll road authorities having jurisdiction over the appropriate highway, shall be appropriately placed, by order of the Commissioner of Transportation or the affected toll road authorities, as the case may be, to notify drivers approaching areas of highway construction and repair that the fines are doubled for motor vehicle offenses in those areas.

d. It shall not be a defense to the imposition of the fines authorized under the provisions of this act that a sign notifying drivers who are approaching highway construction or repair areas that fines are doubled for motor vehicle offenses in those areas was not posted, improperly posted, wrongfully removed or stolen.

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1993

By Assemblymen IMPREVEDUTO, LANCE,
Haytaian, Doria and Kronick

1 AN ACT concerning certain motor vehicle offenses and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

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

6 1. a. For the purposes of this act:

7 "Area of highway construction or repair" means that segment
8 of any highway which is identified by properly posted traffic
9 control devices or signs as undergoing construction,
10 reconstruction, repair, or maintenance operation. An area of
11 highway construction or repair shall consist of that area between
12 the first traffic control device or sign informing motor vehicle
13 operators of their approaching highway construction or repair and
14 the last traffic control device or sign indicating all restrictions
15 are removed and normal motor vehicle operations may resume.

16 "Highway" means any highway under the jurisdiction of the
17 State Department of Transportation or any highway under the
18 jurisdiction of a toll road authorities.

19 "Toll road authorities" means the New Jersey Turnpike
20 Authority, the New Jersey Highway Authority, and the ¹(New
21 Jersey Expressway Authority] South Jersey Transportation
22 Authority¹.

23 b. The fine for a motor vehicle offense embodied in the
24 following sections of statutory law, when committed in an area of
25 highway construction or repair, shall be double the amount
26 specified by law:

27 R.S.39:3-20(b)

28 R.S.39:4-52

29 R.S.39:4-57

30 R.S.39:4-71

31 R.S.39:4-80

32 R.S.39:4-81

33 R.S.39:4-82

34 R.S.39:4-83

35 R.S.39:4-84

36 R.S.39:4-85

37 R.S.39:4-86

38 R.S.39:4-88

39 R.S.39:4-89

40 R.S.39:4-90

41 R.S.39:4-96

42 R.S.39:4-97

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 Assembly AJL committee amendments adopted March 22, 1993.

1 R.S.39:4-98
2 R.S.39:4-99
3 R.S.39:4-105
4 R.S.39:4-115
5 R.S.39:4-119
6 R.S.39:4-122
7 R.S.39:4-123
8 R.S.39:4-124
9 R.S.39:4-125
10 R.S.39:4-127
11 R.S.39:4-129
12 R.S.39:4-144
13 P.L.1955, c.217 (C.39:5C-1)
14 Section 48 of P.L.1951, c.23 (C.39:4-66.1)
15 Section 41 of P.L.1951, c.23 (C.39:4-82.1)
16 Section 51 of P.L.1951, c.23 (C.39:4-90.1)
17 Section 5 of P.L.1951, c.264 (C.27:23-29)
18 Section 18 of P.L.1952, c.16 (C.27:12B-18)
19 ¹[Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L.
20 1991, c.252 (C.27:25A-21)¹.

21 c. Signs designed in compliance with the specifications of the
22 Department of Transportation or, if appropriate, the toll road
23 authorities having jurisdiction over the appropriate highway, shall
24 be appropriately placed, by order of the Commissioner of
25 Transportation or the affected toll road authorities, as the case
26 may be, to notify drivers approaching areas of highway
27 construction and repair that the fines are doubled for motor
28 vehicle offenses in those areas.

29 d. It shall not be a defense to the imposition of the fines
30 authorized under the provisions of this act that a sign notifying
31 drivers who are approaching highway construction or repair areas
32 that fines are doubled for motor vehicle offenses in those areas
33 was not posted, improperly posted, wrongfully removed or stolen.

34 2. This act shall take effect on the 60th day following
35 enactment.
36
37
38

39
40 Doubles fines for certain motor vehicle offenses committed on
41 segments of highways undergoing construction or repair.

Speaker

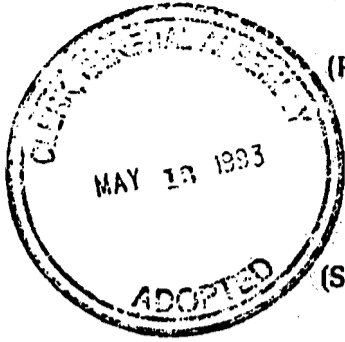
Clerk (3)

Majority Leader

Minority Leader

Sponsor of A

Sponsor of



ASSEMBLY Amendment
(Proposed by Assemblymen IMPREVEDUTO and LANCE)

to

ASSEMBLY, No. 2262 (LR)

(Sponsored by Assemblymen IMPREVEDUTO and LANCE)

REPLACE SECTION 1 TO READ:

1. a. For the purposes of this act:

"Area of highway construction or repair" means that segment of any highway which is identified by properly posted traffic control devices or signs as undergoing construction, reconstruction, repair, or maintenance operation. An area of highway construction or repair shall consist of that area between the first traffic control device or sign informing motor vehicle operators of their approaching highway construction or repair and the last traffic control device or sign indicating all restrictions are removed and normal motor vehicle operations may resume.

"Highway" means any highway under the jurisdiction of the State Department of Transportation ², a county or municipality² or ²[any highway under the jurisdiction of]² a toll road ²[authorities]² authority.

"Toll road ²[authorities] authority²" means the New Jersey Turnpike Authority, the New Jersey Highway Authority, ²[and] or² the ¹[New Jersey Expressway Authority] South Jersey Transportation Authority¹.

b. The fine for a motor vehicle offense embodied in the following sections of statutory law, when committed in an area of highway construction or repair, shall be double the amount specified by law:

- R.S.39:3-20(b)
- R.S.39:4-52
- R.S.39:4-57
- R.S.39:4-71
- R.S.39:4-80
- R.S.39:4-81
- R.S.39:4-82
- R.S.39:4-83
- R.S.39:4-84
- R.S.39:4-85
- R.S.39:4-86
- R.S.39:4-88
- R.S.39:4-89
- R.S.39:4-90
- R.S.39:4-96
- R.S.39:4-97

R.S.39:4-98

R.S.39:4-99

R.S.39:4-105

R.S.39:4-115

R.S.39:4-119

R.S.39:4-122

R.S.39:4-123

R.S.39:4-124

R.S.39:4-125

R.S.39:4-127

R.S.39:4-129

R.S.39:4-144

P.L.1955, c.217 (C.39:5C-1)

Section 48 of P.L.1951, c.23 (C.39:4-66.1)

Section 41 of P.L.1951, c.23 (C.39:4-82.1)

Section 51 of P.L.1951, c.23 (C.39:4-90.1)

Section 5 of P.L.1951, c.264 (C.27:23-29)

Section 18 of P.L.1952, c.16 (C.27:12B-18)

¹[Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L. 1991, c.252 (C.27:25A-21)¹

c. Signs designed in compliance with the specifications of the Department of Transportation or, if appropriate, the toll road ²[authorities] authority² having jurisdiction over the appropriate highway, shall be appropriately placed, by order of the Commissioner of Transportation, ²the appropriate local official,² or the affected toll road ²[authorities] authority², as the case may be, to notify drivers approaching areas of highway construction and repair that the fines are doubled for motor vehicle offenses in those areas.

d. It shall not be a defense to the imposition of the fines authorized under the provisions of this act that a sign notifying drivers who are approaching highway construction or repair areas that fines are doubled for motor vehicle offenses in those areas was not posted, improperly posted, wrongfully removed or stolen.

²e. The director shall include information concerning the penalties imposed pursuant to this act in any subsequent revision of the New Jersey Driver Manual and the New Jersey Motorist Guide.²

STATEMENT

This bill doubles the fines for certain motor vehicle offenses committed in areas where highway construction or repairs are taking place. The motor vehicle offenses covered by the bill are all moving violations.

The provisions of the bill apply to all highways under the jurisdiction of the State Department of Transportation and the toll road authorities.

Under these Assembly amendments, the requirements of the bill would also be applicable to county and municipal roads.

The amendments also require the Director of the Division of Motor Vehicles to include information concerning the penalties imposed pursuant to the bill in any subsequent revision of the New Jersey Driver Manual and the New Jersey Motorist Guide.

Other amendments are technical in nature.

[SECOND REPRINT]
ASSEMBLY, No. 2262

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1993

By Assemblymen IMPREVEDUTO, LANCE,
Haytaian, Doria, Kronick and Oros

1 AN ACT concerning certain motor vehicle offenses and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6 1. a. For the purposes of this act:

7 "Area of highway construction or repair" means that segment
8 of any highway which is identified by properly posted traffic
9 control devices or signs as undergoing construction,
10 reconstruction, repair, or maintenance operation. An area of
11 highway construction or repair shall consist of that area between
12 the first traffic control device or sign informing motor vehicle
13 operators of their approaching highway construction or repair and
14 the last traffic control device or sign indicating all restrictions
15 are removed and normal motor vehicle operations may resume.

16 "Highway" means any highway under the jurisdiction of the
17 State Department of Transportation ², a county or municipality²
18 or ²[any highway under the jurisdiction of]² a toll road
19 ²[authorities]² authority.

20 "Toll road ²[authorities] authority²" means the New Jersey
21 Turnpike Authority, the New Jersey Highway Authority, ²[and]
22 or² the ¹[New Jersey Expressway Authority] South Jersey
23 Transportation Authority¹.

24 b. The fine for a motor vehicle offense embodied in the
25 following sections of statutory law, when committed in an area of
26 highway construction or repair, shall be double the amount
27 specified by law:

28 R.S.39:3-20(b)

29 R.S.39:4-52

30 R.S.39:4-57

31 R.S.39:4-71

32 R.S.39:4-80

33 R.S.39:4-81

34 R.S.39:4-82

35 R.S.39:4-83

36 R.S.39:4-84

37 R.S.39:4-85

38 R.S.39:4-86

39 R.S.39:4-88

40 R.S.39:4-89

41 R.S.39:4-90

42 R.S.39:4-96

43 R.S.39:4-97

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 Assembly AJL committee amendments adopted March 22, 1993.

² Assembly floor amendments adopted May 13, 1993.

1 R.S.39:4-98
2 R.S.39:4-99
3 R.S.39:4-105
4 R.S.39:4-115
5 R.S.39:4-119
6 R.S.39:4-122
7 R.S.39:4-123
8 R.S.39:4-124
9 R.S.39:4-125
10 R.S.39:4-127
11 R.S.39:4-129
12 R.S.39:4-144
13 P.L.1955, c.217 (C.39:5C-1)
14 Section 48 of P.L.1951, c.23 (C.39:4-66.1)
15 Section 41 of P.L.1951, c.23 (C.39:4-82.1)
16 Section 51 of P.L.1951, c.23 (C.39:4-90.1)
17 Section 5 of P.L.1951, c.264 (C.27:23-29)
18 Section 18 of P.L.1952, c.16 (C.27:12B-18)
19 ¹[Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L.
20 1991, c.252 (C.27:25A-21)¹

21 c. Signs designed in compliance with the specifications of the
22 Department of Transportation or, if appropriate, the toll road
23 ²[authorities] authority² having jurisdiction over the appropriate
24 highway, shall be appropriately placed, by order of the
25 Commissioner of Transportation, ²the appropriate local official,²
26 or the affected toll road ²[authorities] authority², as the case
27 may be, to notify drivers approaching areas of highway
28 construction and repair that the fines are doubled for motor
29 vehicle offenses in those areas.

30 d. It shall not be a defense to the imposition of the fines
31 authorized under the provisions of this act that a sign notifying
32 drivers who are approaching highway construction or repair areas
33 that fines are doubled for motor vehicle offenses in those areas
34 was not posted, improperly posted, wrongfully removed or stolen.

35 ²e. The director shall include information concerning the
36 penalties imposed pursuant to this act in any subsequent revision
37 of the New Jersey Driver Manual and the New Jersey Motorist
38 Guide.²

39 2. This act shall take effect on the 60th day following
40 enactment.

41
42
43

44
45 Doubles fines for certain motor vehicle offenses committed on
46 segments of highways undergoing construction or repair.

FISCAL NOTE TO
[SECOND REPRINT]
ASSEMBLY, No. 2262
STATE OF NEW JERSEY

DATED: June 7, 1993

Assembly Bill No. 2262 (2R) of 1993 doubles the fines for certain motor vehicle offenses committed in areas where highway construction or repairs are taking place. The offenses specifically identified in the bill include, among others: reckless driving, careless driving, speeding, improper passing, tailgating, improper turns, failure to observe traffic lanes, failure to observe a traffic signal or sign, and failure to obey directions of an officer.

The Administrative Office of the Courts (AOC) estimates that enactment of this bill would create relatively minor costs unless it becomes necessary to revise the Uniform Traffic Ticket. According to the AOC, a six-month inventory of the UTT costs about \$500,000, making the ultimate cost of the bill contingent upon its enactment date. In reference to revenues collected, since the AOC does not currently keep statistics on the number of motorists ticketed for speeding in road construction areas, it cannot estimate the additional revenue which would be generated.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

3/337

Document ID 12
RF 0076
SR 0063
TR 0062

SENATE Amendments
(Proposed by Senator LITTELL)

ADOPTED
JUN 10 1993

to

ASSEMBLY, No. 2262 (2R)

(Sponsored by Assemblymen IMPREVEDUTO and LANCE)

REPLACE SECTION 1 TO READ:

1. a. For the purposes of this act:

"Area of highway construction or repair" means that segment of any highway which is identified by properly posted traffic control devices or signs as undergoing construction, reconstruction, repair, or maintenance operation. An area of highway construction or repair shall consist of that area between the first traffic control device or sign informing motor vehicle operators of their approaching highway construction or repair and the last traffic control device or sign indicating all restrictions are removed and normal motor vehicle operations may resume.

"Highway" means any highway under the jurisdiction of the State Department of Transportation ², a county ³[or] a ³municipality² or ²[any highway under the jurisdiction of]² a toll road ²[authorities]² authority.

"Toll road ²[authorities] authority²" means the New Jersey Turnpike Authority, the New Jersey Highway Authority, ²[and] or² the ¹[New Jersey Expressway Authority] South Jersey Transportation Authority¹.

b. The fine for a motor vehicle offense embodied in the following sections of statutory law, when committed in an area of highway construction or repair, shall be double the amount specified by law:

³Subsection b. of³ R.S.39:3-20³[(b)]³;

- R.S.39:4-52;
- R.S.39:4-57;
- R.S.39:4-71;
- R.S.39:4-80;
- R.S.39:4-81;
- R.S.39:4-82;
- R.S.39:4-83;
- R.S.39:4-84;
- R.S.39:4-85;
- R.S.39:4-86;
- R.S.39:4-88;
- R.S.39:4-89;
- R.S.39:4-90;
- R.S.39:4-96;
- R.S.39:4-97;
- R.S.39:4-98;
- R.S.39:4-99;
- R.S.39:4-105;
- R.S.39:4-115;
- R.S.39:4-119;

R.S.39:4-122;

R.S.39:4-123;

R.S.39:4-124;

R.S.39:4-125;

R.S.39:4-127;

R.S.39:4-129;

R.S.39:4-144;

P.L.1955. c.217 (C.39:5C-1);

Section 48 of P.L.1951. c.23 (C.39:4-66.1);

Section 41 of P.L.1951. c.23 (C.39:4-82.1);

Section 51 of P.L.1951. c.23 (C.39:4-90.1);

Section 5 of P.L.1951. c.264 (C.27:23-29);

Section 18 of P.L.1952. c.16 (C.27:12B-18); ³and³

¹[Section 37 of P.L.1962. c.10 (C.27:12C-37)] Section 21 of P.L. 1991. c.252 (C.27:25A-21).¹

c. ³(1)³ Signs designed in compliance with the specifications of the Department of Transportation or, if appropriate, the toll road ²[authorities] authority² having jurisdiction over the appropriate highway, shall be appropriately placed, by order of the Commissioner of Transportation, ²the appropriate local official.² or the affected toll road ²[authorities] authority², as the case may be, to notify drivers approaching areas of highway construction and repair that the fines are doubled for motor vehicle offenses in those areas.

³(2) In addition, all traffic control signs and devices erected or displayed by the State Department of Transportation, a county, a municipality or a toll road authority within an area of highway construction or repair shall conform to the uniform system specified in the most current "Manual on Uniform Traffic Control Devices for Streets and Highways." prepared by the Federal Highway Administration in the United States Department of Transportation.³

d. It shall not be a defense to the imposition of the fines authorized under the provisions of this act that a sign notifying drivers who are approaching highway construction or repair areas that fines are doubled for motor vehicle offenses in those areas was not posted, improperly posted, wrongfully removed or stolen³, or that signs or devices were not placed in compliance with the most current "Manual on Uniform Traffic Control Devices for Streets and Highways" as required pursuant to paragraph (2) of subsection c. of this section³.

²e. The director shall include information concerning the penalties imposed pursuant to this act in any subsequent revision of the New Jersey Driver Manual and the New Jersey Motorist Guide.²

STATEMENT

This amendment will make this bill identical to Senate Bill Nos. 831 and 1667 SCS (1R) of 1992.

The amendment would require all traffic control signs and devices erected or displayed by the State Department of Transportation, a county, a municipality or a toll road authority within an area of highway construction or repair to conform to the uniform system specified in the most current "Manual on Uniform Traffic Control Devices for Streets and Highways," prepared by the Federal Highway Administration in the United States Department of Transportation.

[THIRD REPRINT]
ASSEMBLY, No. 2262

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1993

By Assemblymen IMPREVEDUTO, LANCE,
Haytaian, Doria, Kronick and Oros

1 AN ACT concerning certain motor vehicle offenses and
2 supplementing chapter 4 of Title 39 of the Revised Statutes.

3

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

6 1. a. For the purposes of this act:

7 "Area of highway construction or repair" means that segment
8 of any highway which is identified by properly posted traffic
9 control devices or signs as undergoing construction,
10 reconstruction, repair, or maintenance operation. An area of
11 highway construction or repair shall consist of that area between
12 the first traffic control device or sign informing motor vehicle
13 operators of their approaching highway construction or repair and
14 the last traffic control device or sign indicating all restrictions
15 are removed and normal motor vehicle operations may resume.

16 "Highway" means any highway under the jurisdiction of the
17 State Department of Transportation ², a county ³[or] , a³
18 municipality² or ²[any highway under the jurisdiction of]² a toll
19 road ²[authorities]² authority.

20 "Toll road ²[authorities] authority²" means the New Jersey
21 Turnpike Authority, the New Jersey Highway Authority, ²[and]
22 or² the ¹[New Jersey Expressway Authority] South Jersey
23 Transportation Authority¹.

24 b. The fine for a motor vehicle offense embodied in the
25 following sections of statutory law, when committed in an area of
26 highway construction or repair, shall be double the amount
27 specified by law:

28 ³Subsection b. of³ R.S.39:3-20³[(b)]³;

29 R.S.39:4-52;

30 R.S.39:4-57;

31 R.S.39:4-71;

32 R.S.39:4-80;

33 R.S.39:4-81;

34 R.S.39:4-82;

35 R.S.39:4-83;

36 R.S.39:4-84;

37 R.S.39:4-85;

38 R.S.39:4-86;

39 R.S.39:4-88;

40 R.S.39:4-89;

41 R.S.39:4-90;

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 Assembly AJL committee amendments adopted March 22, 1993.

² Assembly floor amendments adopted May 13, 1993.

³ Senate floor amendments adopted June 10, 1993.

1 R.S.39:4-96;
2 R.S.39:4-97;
3 R.S.39:4-98;
4 R.S.39:4-99;
5 R.S.39:4-105;
6 R.S.39:4-115;
7 R.S.39:4-119;
8 R.S.39:4-122;
9 R.S.39:4-123;
10 R.S.39:4-124;
11 R.S.39:4-125;
12 R.S.39:4-127;
13 R.S.39:4-129;
14 R.S.39:4-144;
15 P.L.1955, c.217 (C.39:5C-1);
16 Section 48 of P.L.1951, c.23 (C.39:4-66.1);
17 Section 41 of P.L.1951, c.23 (C.39:4-82.1);
18 Section 51 of P.L.1951, c.23 (C.39:4-90.1);
19 Section 5 of P.L.1951, c.264 (C.27:23-29);
20 Section 18 of P.L.1952, c.16 (C.27:12B-18); ³and³
21 ¹[Section 37 of P.L.1962, c.10 (C.27:12C-37)] Section 21 of P.L.
22 1991, c.252 (C.27:25A-21).¹

23 c. ³(1)³ Signs designed in compliance with the specifications
24 of the Department of Transportation or, if appropriate, the toll
25 road ²[authorities] authority² having jurisdiction over the
26 appropriate highway, shall be appropriately placed, by order of
27 the Commissioner of Transportation, ²the appropriate local
28 official,² or the affected toll road ²[authorities] authority², as
29 the case may be, to notify drivers approaching areas of highway
30 construction and repair that the fines are doubled for motor
31 vehicle offenses in those areas.

32 ³(2) In addition, all traffic control signs and devices erected or
33 displayed by the State Department of Transportation, a county, a
34 municipality or a toll road authority within an area of highway
35 construction or repair shall conform to the uniform system
36 specified in the most current "Manual on Uniform Traffic Control
37 Devices for Streets and Highways," prepared by the Federal
38 Highway Administration in the United States Department of
39 Transportation.³

40 d. It shall not be a defense to the imposition of the fines
41 authorized under the provisions of this act that a sign notifying
42 drivers who are approaching highway construction or repair areas
43 that fines are doubled for motor vehicle offenses in those areas
44 was not posted, improperly posted, wrongfully removed or
45 stolen³, or that signs or devices were not placed in compliance
46 with the most current "Manual on Uniform Traffic Control
47 Devices for Streets and Highways" as required pursuant to
48 paragraph (2) of subsection c. of this section³.

49 ²e. The director shall include information concerning the
50 penalties imposed pursuant to this act in any subsequent revision
51 of the New Jersey Driver Manual and the New Jersey Motorist
52 Guide.²

53 2. This act shall take effect on the 60th day following
54 enactment.

1

2

3

4

Doubles fines for certain motor vehicle offenses committed on segments of highways undergoing construction or repair.