

39:4-120.5

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 39:4-120.5

(Public-private intersections--
allow installation of official traffic
control devices)

LAWS OF: 1991

CHAPTER: 298

Bill No: A2042

Sponsor(s): Ogden

Date Introduced: Pre-filed

Committee: Assembly: Transportation

Senate: Transportation & Public Utilities

Amended during passage: No

Date of Passage: Assembly: December 17, 1990

Senate: July 29, 1991

Date of Approval: October 4, 1991

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

KBG/dgw

§§1-7
C.39:4-120.5
to
39:4-120.11
§8
Note to
§§1-7

P.L.1991, CHAPTER 298, *approved October 4, 1991*
1990 Assembly No. 2042

1 AN ACT concerning the regulation of traffic at public-private
2 intersections and supplementing chapter 4 of Title 39 of the
3 Revised Statutes.

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

7 1. As used in this act:

8 a. "Private road open to the public" means a private road
9 leading from an establishment open to the public including but
10 not limited to a shopping center, restaurant, movie theater or
11 arena.

12 b. "Public-private intersection" means the intersection of a
13 private road open to the public with a highway.

14 2. The owner of a private road open to the public which forms
15 a public-private intersection may erect an official traffic control
16 device at the public-private intersection after obtaining the
17 necessary approval in accordance with section 3 of this act. All
18 official traffic control devices shall conform to the same
19 specifications as those regulating intersections.

20 3. a. Where the public-private intersection contains a State
21 highway, the Commissioner of Transportation by regulation shall
22 approve the erection of an official traffic control device.

23 b. Where the public-private intersection contains a highway
24 under the jurisdiction of local authorities, the local authorities by
25 ordinance or resolution shall approve the erection of an official
26 traffic control device, subject to the approval of the
27 commissioner.

28 c. The commissioner by appropriate order may withdraw an
29 official traffic control device from a public-private intersection.

30 4. The owner of the private road open to the public shall
31 obtain, install and maintain any official traffic control device at
32 a public-private intersection.

33 5. The driver of a motor vehicle shall observe and obey an
34 official traffic control device erected at a public-private
35 intersection in the same manner as those erected at any other
36 intersection.

37 6. For a violation of this act, the offender shall be subject to
38 the same penalties as exist in connection with violations at public
39 intersections.

40 7. The Commissioner of Transportation may promulgate rules
41 and regulations pursuant to the "Administrative Procedure Act,"

1 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of
2 this act.

3 8. This act shall take effect on the 120th day following
4 enactment, except for section 7 which shall take effect
5 immediately.

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8 TRANSPORTATION

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10 Permits erection of traffic control devices at "public-private"
11 intersections by owner of private road; prescribes conditions.

1 7. The Commissioner of Transportation may promulgate rules
2 and regulations pursuant to the "Administrative Procedure Act,"
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STATEMENT

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TRANSPORTATION

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Permits erection of traffic control devices at "public-private"
intersections by owner of private road; prescribes conditions.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2042

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 1990

The Assembly Transportation Committee favorably reports Assembly, No. 2042 of 1990.

The bill defines the terms "private road open to the public" and "public-private intersection," and permits an owner of a private road open to the public to erect a traffic control device at the intersection of the private road and a highway. Currently there is no authority to regulate these public-private intersections.

According to the provisions of the bill, the owner of the private road open to the public also would be required to obtain State or local approval to erect the device and would be responsible for its purchase, installation and maintenance of the device. Drivers of motor vehicles are required to observe and obey the traffic control device in the same manner as those devices erected at any other intersection and are subject to the same penalties for violations. In addition, the Commissioner of Transportation may promulgate any rules and regulations necessary to effectuate the purposes of this bill.

Technical review of this prefiled bill was performed in accordance with Joint Rule 18A of the Senate and General Assembly.

SENATE TRANSPORTATION AND PUBLIC UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2042

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 1991

The Senate Transportation and Public Utilities Committee favorably reports Assembly Bill No. 2042.

The bill defines the terms "private road open to the public" and "public-private intersection," and permits an owner of a private road open to the public to erect a traffic control device at the intersection of the private road and a highway. Currently there is no authority to regulate these public-private intersections.

According to the provisions of the bill, the owner of the private road open to the public also would be required to obtain approval of the Commissioner of Transportation in the case of a State highway intersection and the approval of the local authorities and the commissioner in the case of a local road intersection, in order to erect the traffic control device. The owner would be responsible for the device's purchase, installation and maintenance. Drivers of motor vehicles are required to observe and obey the traffic control device in the same manner as those devices erected at any other intersection and are subject to the same penalties for violations. In addition, the Commissioner of Transportation may promulgate any rules and regulations necessary to effectuate the purposes of this bill.