

27:27-1 to 27:27-6

LEGISLATIVE HISTORY CHECKLIST

NJSA: 27:27-1 to 27:27-6

(Monorail Authority Study
Commission--various
amendments)

LAWS OF: 1985

CHAPTER 538

BILL NO: A4100

Sponsor(s): Littell and others

Date Introduced: August 28, 1985

Committee: Assembly: -----

Senate: Transportation and Communications

Amended during passage: Yes

Substituted for S3250 (not attached
since identical to A4100). Amendments
during passage denoted by asterisks.

Date of Passage:

Assembly:

September 9, 1985

Senate:

January 13, 1986

Date of Approval:

January 21, 1986

Following statements are attached if available:

Sponsor statement:

Yes

Committee statement:

Assembly

No

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

Yes

Hearings:

No

974.90 New Jersey. State Monorail Authority Study Commission.
R152 Report . . . July 23, 1985.
1985b Trenton, 1985.

See newspaper clipping--attached.

"Route 1 monorail study is advised," Trenton Times.

638
1-21-86

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DO NOT REMOVE ASSEMBLY, No. 4100

STATE OF NEW JERSEY

INTRODUCED AUGUST 28, 1985

By Assemblymen LITTELL, LAROCCA, KAVANAUGH, BENNETT, HAYTAIAN, WEIDEL, RANIERI, CUPROWSKI, VAINIERI, CHARLES, DORIA, HENDRICKSON, CHINNICI, MUZIANI, LOVEYS, ALBOHN, Assemblywoman COOPER, Assemblymen FRELINGHUYSEN, PALAIA, SHINN, MILLER, Assemblywoman OGDEN, Assemblymen SHUSTED, GENOVA, Assemblywoman PERUN, Assemblymen FRANKS, HARDWICK, KOSCO, SCHUBER, FELICE, ROONEY, ZECKER, KLINE, Assemblywoman MUHLER, Assemblyman MARTIN, Assemblywomen RANDALL, GARVIN, Assemblymen KERN, ROD, ROCCO, GIRGENTI, PELLECCIA, LONG, DEVERIN, RILEY, FLYNN, S. ADUBATO, McENROE, PATERO, HERMAN, MAZUR, PELLY, BOCCHINI, THOMPSON and MARSELLA

AN ACT concerning monorail transportation, amending P. L. 1983, c. 295, supplementing P. L. 1966, c. 301 (C. 27:1A-1 et seq.), and making an appropriation.

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

1 *1. Section 1 of P. L. 1983, c. 295 is amended to read as follows:

2 1. The Legislature finds and determines that:

3 a. New Jersey is one of the most densely populated states in the
4 nation;

5 b. New Jersey's highways are overburdened with traffic; *and*

6 c. The establishment *and development* of **[a Statewide]** mono-
7 rail **[system]** *systems in the State* can make a significant contribu-
8 tion to public transportation and ease highway congestion**;** and

9 d. It may be appropriate to establish an authority to fund and
10 operate such a system**].**

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

* ~~Senate~~ committee amendments adopted December 9, 1985.

1 ***[1.]*** *2.* Section 2 of P. L. 1983, c. 295 is amended to read as
2 follows:

3 2. There is created a commission to be known as the New Jersey
4 Monorail ***[Authority Study]*** *Legislative* Commission. The
5 commission shall consist of **[eight]** 13 members, four to be ap-
6 pointed from the membership of the Senate by the President
7 thereof *for the member's term of office*, not more than two of whom
8 shall be from the same political party**[, and]**; four to be appointed
9 from the membership of the General Assembly by the Speaker
10 thereof *for the member's term of office*, not more than two of whom
11 shall be from the same political party; *the Commissioner of Trans-*
12 *portation ex officio, or his designee; the Executive Director of the*
13 *New Jersey Transit Corporation ex officio, or his designee; the*
14 *Executive Director of the Port Authority of New York and New*
15 *Jersey ex officio, or his designee; the ***[Executive Director]****
16 **President* of the Delaware River Port Authority ex officio, or his*
17 *designee; and the Executive Directors of the *New Jersey* Turn-*
18 *pike, Highway, and Expressway Authorities ex officio or their*
19 *designees who shall serve one-year rotating terms in the following*
20 *order: New Jersey Turnpike Authority, New Jersey Highway*
21 *Authority, and New Jersey Expressway Authority. *The toll-road*
22 *authorities not represented in a particular year by having a mem-*
23 *ber on the commission shall be kept apprised of the commission's*
24 *activities, and shall have the opportunity for input.**

1 *3. Section 3 of P. L. 1983, c. 295 is amended to read as follows:

2 3. The commission shall organize as soon as may be practicable
3 after the appointment of its members and shall select a chairman
4 from among its *legislative* members and a secretary who need not
5 be a member of the commission.*

1 ***[2.]*** *4.* Section 4 of P. L. 1983, c. 295 is amended to read as
2 follows:

2A 4. It shall be the duty of the commission to study ***[and evaluate**
3 the practicability and feasibility of establishing a New Jersey
4 Monorail Authority to own and operate a Statewide monorail
5 system]* *the various means by which monorail systems may be*
6 *developed in the State**, to work with the Department of Trans-
7 portation and other public agencies to maximize the benefits of
8 monorail technology, and to ***[exercise oversight for]*** *monitor**
9 all monorail projects.

1 ***[3.]*** *5.* Section 6 of P. L. 1983, c. 295 is amended to read as
1A follows:

2 6. The commission may meet and hold hearings at a place or

3 places it designates during the sessions or recesses of the Legis-
 4 lature and [within one year of the effective date of this act] *an-*
 5 *nually* shall report its findings and recommendations to the Legisla-
 6 ture *and Governor* with any legislative bills it may desire to
 7 recommend for adoption by the Legislature.

1 ***[4.]*** *6.* (New section) As used in P. L. 1983, c. 295 and this
 2 1985 amendatory and supplementary act, "monorail" means any
 3 type of transportation system in which manned or unmanned
 4 vehicles are operated on fixed guideways along an exclusive ease-
 5 ment or right-of-way, but excluding conventional railroads.

1 ***[5.]*** *7.* (New section) ***[Notwithstanding any other law to**
 2 **the contrary, the]*** *The* Department of Transportation shall
 3 have exclusive responsibility for assisting in the development of
 4 monorail systems *except where otherwise provided by law*. The
 5 ***[Assistant Commissioner for Transportation Services and Plan-**
 6 **ning, at the direction of the]*** Commissioner of Transportation
 7 ***[and]*** *,* in cooperation with State departments, commissions,
 8 authorities, and other State agencies and with interested private
 9 individuals and organizations, shall be the exclusive coordinator
 10 of plans and policies for the utilization of monorail systems *under*
 11 *the jurisdiction of the Department of Transportation*.*

1 ***[6.]*** *8.* (New section) ***[The Assistant Commissioner for**
 2 **Transportation Services and Planning, at the direction of]*** *Ex-*
 3 *cept as otherwise provided by law,* the Commissioner of Trans-
 4 portation***[,]*** shall have the following functions, powers and
 4A duties:

5 a. Approve or reject any proposed monorail project, including
 6 its route;

7 ***[b.]*** Assist the developers of any monorail system approved
 8 pursuant to subsection a. of this section in property acquisition,
 9 public financing, and the securing of permit approvals and ease-
 10 ments;]*

11 ***[c.]*** *b.* Set fares for monorail systems; and

12 ***[d.]*** *c.* Establish safety standards for the operation of
 13 monorail systems.

1 ***[7.]** (New section) Any monorail system authorized pursuant to
 2 section 6 of this act shall be exempt from the zoning and planning
 3 ordinances of the several municipalities of the State.

1 8. (New section) The New Jersey Monorail Authority Study
 2 Commission, created by P. L. 1983, c. 295, shall exercise oversight
 3 for all monorail projects.]*

1 *9. (New section) Any authority or agency proposing a monorail
 2 project and not subject to approval pursuant to subsection a. of

3 *section 8 of this act shall report to the commission its intentions*
4 *concerning the proposed project.**

1 **[9.]* *10.** (New section) The **[Assistant]** Commissioner
2 **[for]* *of** Transportation **[Services and planning]** shall
3 adopt rules and regulations pursuant to the "Administrative
4 Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) to effect-
5 uate the purposes of sections **[5]* *7** through **[8]* *9** of this
6 act.

1 **[10.]* *11.** (New section) In addition to the amount appro-
2 priated by P. L. 1983, c. 295, there is appropriated **[\$30,000.00]**
3 **\$25,000.00** to the commission from the General Fund to effectuate
4 the purposes of this act.

1 **[11.]* *12.** This act shall take effect immediately **and shall*
2 *expire on the fifth year following the date of enactment of this 1985*
3 *amendatory and supplementary act unless extended by law*.*

7 b. Assist the developers of any monorail system approved pursu-
8 ant to subsection a. of this section in property acquisition, public
9 financing, and the securing of permit approvals and easements;

10 c. Set fares for monorail systems; and

11 d. Establish safety standards for the operation of monorail
12 systems.

1 7. (New section) Any monorail system authorized pursuant to
2 section 6 of this act shall be exempt from the zoning and planning
3 ordinances of the several municipalities of the State.

1 8. (New section) The New Jersey Monorail Authority Study
2 Commission, created by P. L. 1983, c. 295, shall exercise oversight
3 for all monorail projects.

1 9. (New section) The Assistant Commissioner for Transporta-
2 tion Services and planning shall adopt rules and regulations pursu-
3 ant to the "Administrative Procedure Act," P. L. 1968, c. 410 (C.
4 52:14B-1 et seq.) to effectuate the purposes of sections 5 through
5 8 of this act.

1 10. (New section) In addition to the amount appropriated by
2 P. L. 1983, c. 295, there is appropriated \$30,000.00 to the commis-
3 sion from the General Fund to effectuate the purposes of this act.

1 11. This act shall take effect immediately.

STATEMENT

This bill amends P. L. 1983, c. 295 which established the New Jersey Monorail Authority Study Commission, and assigns exclusive responsibility for the development of monorail systems to the Department of Transportation.

Membership of the commission is expanded to include representatives of public agencies with transportation interests. The bill provides that the commission will work with the Department of Transportation in promoting monorail technology. It also includes a definition of "monorail" and makes an additional appropriation to the commission.

Within the Department of Transportation, the Assistant Commissioner for Transportation Services and Planning, at the direction of the Commissioner of Transportation and in cooperation with other State agencies and interested private parties, shall be the exclusive coordinator of plans and policies for the utilization of monorail systems. Any authorized monorail system will be exempt from local zoning and planning ordinances, and the commission will exercise oversight for all monorail projects.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4100

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 5, 1985

This bill, as amended by the committee, amends P. L. 1983, c. 295 which created the New Jersey Monorail Authority Study Commission. The name of the commission is changed to the New Jersey Monorail Legislative Commission and its membership is expanded from eight to 13 members. The members added are the Commissioner of Transportation, the Executive Directors of the New Jersey Transit Corporation and the Port Authority of New York and New Jersey, and the President of the Delaware River Port Authority. The Executive Directors of the New Jersey Turnpike, Highway and Expressway Authorities are also added and are to serve one-year rotating terms. These various officials may also designate persons to represent them. The toll-road authorities not represented in a particular year by having a member on the commission shall be kept apprised of the commission's activities, and shall have the opportunity for input. The chairman of the commission shall be a legislative member.

The expanded commission, limited to a life of five years, is authorized to study the various means by which monorail systems may be developed in the State, to work with the Department of Transportation and other public agencies to maximize the benefits of monorail technology, and to monitor all monorail projects.

The Department of Transportation is assigned the exclusive responsibility for assisting in the development of monorail systems except where otherwise provided by law. The Commissioner of Transportation shall be the exclusive coordinator of plans and policies for the utilization of monorail systems under the jurisdiction of the department. Except as otherwise provided by law, as in the case of New Jersey Transit and the Port Authority of New York and New Jersey, the commissioner shall approve monorail projects, set fares and establish safety standards.

The bill appropriates \$25,000.00 to the commission to effectuate the purposes of the bill.

The committee deleted the provisions of the bill providing for (1) oversight power by the commission, (2) assisting monorail developers, (3) exemptions from local zoning and planning ordinances, and (4) granting independent powers to the Assistant Commissioner for Transportation Services and Planning. In addition, the committee reduced the amount of the appropriations from \$30,000.00 to \$25,000.00 and provided for the expiration of the commission in five years, unless extended by law.

This bill is identical to Senate Bill No. 3250, as amended by the committee.
