

40A:14-181.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2000 **CHAPTER:** 164
NJSA: 40A:14-181.1 (Ticket quotas—prohibited)
BILL NO: S64 (Substituted for A2261)

SPONSOR(S): Bucco and Robertson

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Law and Public Safety

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: November 20, 2000

SENATE: December 4, 2000

DATE OF APPROVAL: December 12, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

S64

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A2261

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes
Bill and Sponsors Statement identical to S64

COMMITTEE STATEMENT: ASSEMBLY: Yes
Identical to Assembly statement to S64

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

SENATE, No. 64

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

Co-Sponsored by:

Senators Allen, Sinagra, Rice, Singer, Inverso and Adler

SYNOPSIS

Prohibits police ticket quota for motor vehicle violations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/17/2000)

1 AN ACT concerning quotas for motor vehicle and traffic violations and
2 supplementing Title 40A of the New Jersey Statutes.

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

6
7 1. For the purposes of this act:

8 "Citation" means a citation as defined in section 4 of P.L.1983, c.46
9 (C.39:5F-4).

10 "Quota" means any requirement regarding the number of arrests
11 made or the number of citations issued within a defined period of time
12 by a law enforcement officer, or the proportion of the arrests made
13 and citations issued by the law enforcement officer relative to the
14 arrests made and citations issued by another law enforcement officer
15 or group of officers.

16

17 2. a. A State, county or municipal police department or force
18 engaged in the enforcement of Title 39 of the Revised Statutes or any
19 local ordinance adopted pursuant to this title shall not establish any
20 policy, either formal or informal, requiring or suggesting that any law
21 enforcement officer meet a quota for arrests or citations.

22 b. The department or force shall not use the number of arrests or
23 citations issued by a law enforcement officer as the sole or primary
24 criterion for promotion, demotion, dismissal, or the earning of any
25 benefit provided by the department or force. Any such arrests or
26 citations, and their ultimate dispositions, may only be considered in
27 evaluating the overall performance of a law enforcement officer. Such
28 an evaluation may include, but shall not be limited to, criteria such as
29 complaints by citizens, attendance, punctuality, work safety,
30 commendations, demeanor, formal training and professional judgment.

31

32 3. This act shall take effect on the first day of the second month
33 after enactment.

34

35

36

STATEMENT

37

38 This bill is designed to ban the use of quotas by local or State law
39 enforcement agencies in enforcing the motor vehicle laws. "Quota" is
40 defined by the bill as a formal or informal policy of requiring that law
41 enforcement officers make a certain number of arrests or issue a
42 certain number of citations within a defined period of time or a
43 comparison of the proportion of the officer's arrests and citations
44 relative to that of another officer or group of officers.

45

46 Also, law enforcement agencies under the bill will not be allowed
to use the volume of an officer's arrests or citations as the sole or

1 primary basis for personnel actions such as promotions, demotions and
2 other benefits of employment. These agencies would be able to
3 consider arrest and citation data as part of the officer's overall
4 evaluation, together with such factors as complaints by citizens,
5 attendance, punctuality, work safety, commendations, demeanor,
6 formal training and professional judgment.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 64

STATE OF NEW JERSEY

DATED: MAY 25, 2000

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 64.

This bill bans the use of quotas by local or State law enforcement agencies in enforcing the motor vehicle laws. "Quota" is defined in the bill as a formal or informal policy of requiring that law enforcement officers make a certain number of arrests or issue a certain number of citations within a defined period of time or a comparison of the proportion of the officer's arrests and citations relative to that of another officer or group of officers.

The bill prohibits law enforcement agencies from using the volume of an officer's arrests or citations as the sole or primary basis for personnel actions such as promotions, demotions and other benefits of employment. These agencies would be permitted to consider arrest and citation data as part of the officer's overall evaluation, together with such factors as complaints by citizens, attendance, punctuality, work safety, commendations, demeanor, formal training and professional judgment.

This bill was prefiled for introduction in the 2000 legislative session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 64

STATE OF NEW JERSEY

DATED: SEPTEMBER 21, 2000

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 64.

Senate Bill No. 64 bans the use of quotas by local or State law enforcement agencies in enforcing the motor vehicle laws. "Quota" is defined by the bill as a formal or informal policy requiring that law enforcement officers make a certain number of arrests or issue a certain number of citations within a defined period of time or a comparison of the proportion of the officer's arrests and citations relative to that of another officer or group of officers. "Citation" is defined in the bill as any summons, ticket, or other official document issued by a police officer for a traffic violation, containing an order which requires the motorist to respond.

The bill also prohibits law enforcement agencies from using the volume of an officer's arrests or citations as the sole or primary basis for personnel actions such as promotions, demotions and other benefits of employment. However, these agencies may consider arrest and citation data as part of the officer's overall evaluation, together with such factors as complaints by citizens, attendance, punctuality, work safety, commendations, demeanor, formal training and professional judgment.

This bill is identical to Assembly Bill No. 2261, also reported by the committee on this same date.

SENATE, No. 64

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

Co-Sponsored by:

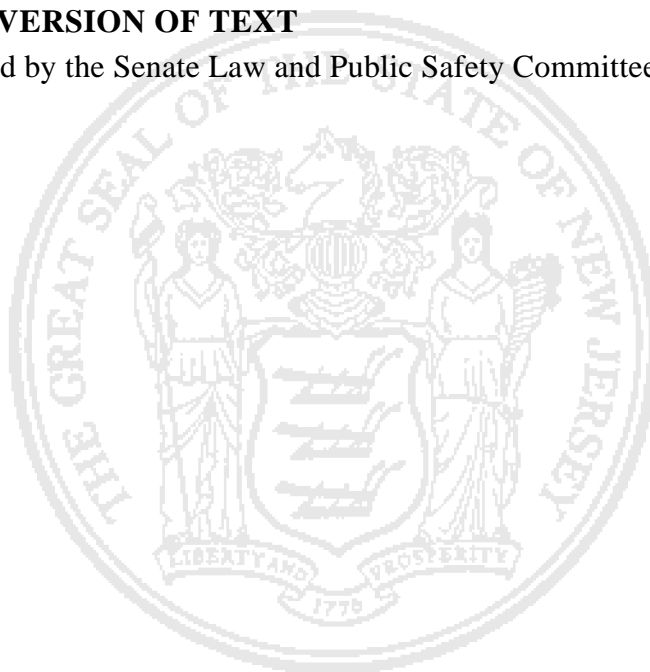
**Senators Allen, Sinagra, Rice, Singer, Inverso, Adler, Turner,
Assemblymen Conaway, Conners and Gregg**

SYNOPSIS

Prohibits police ticket quota for motor vehicle violations.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee with technical review.



(Sponsorship Updated As Of: 10/31/2000)

1 AN ACT concerning quotas for motor vehicle and traffic violations and
2 supplementing Title 40A of the New Jersey Statutes.

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

6
7 1. For the purposes of this act:

8 "Citation" means a citation as defined in section 4 of P.L.1983, c.46
9 (C.39:5F-4).

10 "Quota" means any requirement regarding the number of arrests
11 made or the number of citations issued within a defined period of time
12 by a law enforcement officer, or the proportion of the arrests made
13 and citations issued by the law enforcement officer relative to the
14 arrests made and citations issued by another law enforcement officer
15 or group of officers.

16

17 2. a. A State, county or municipal police department or force
18 engaged in the enforcement of Title 39 of the Revised Statutes or any
19 local ordinance adopted pursuant to this title shall not establish any
20 policy, either formal or informal, requiring or suggesting that any law
21 enforcement officer meet a quota for arrests or citations.

22 b. The department or force shall not use the number of arrests or
23 citations issued by a law enforcement officer as the sole or primary
24 criterion for promotion, demotion, dismissal, or the earning of any
25 benefit provided by the department or force. Any such arrests or
26 citations, and their ultimate dispositions, may only be considered in
27 evaluating the overall performance of a law enforcement officer. Such
28 an evaluation may include, but shall not be limited to, criteria such as
29 complaints by citizens, attendance, punctuality, work safety,
30 commendations, demeanor, formal training and professional judgment.

31

32 3. This act shall take effect on the first day of the second month
33 after enactment.

[First Reprint]
SENATE, No. 64

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

Co-Sponsored by:

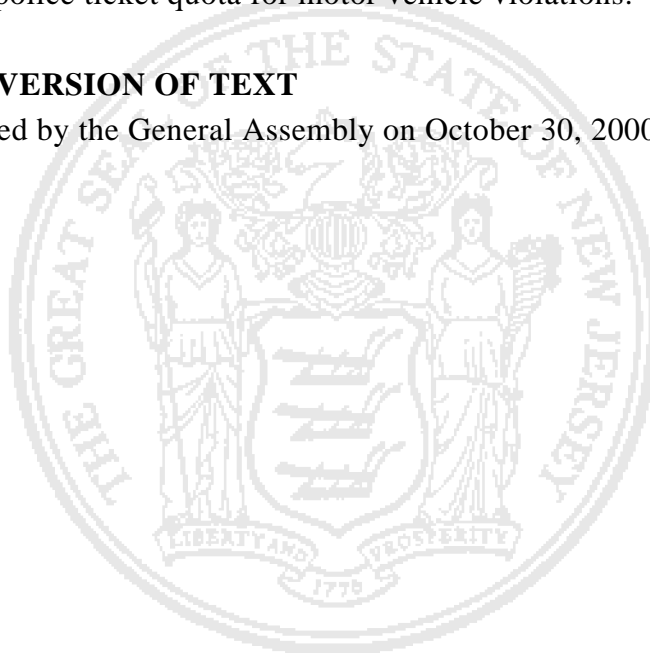
**Senators Allen, Sinagra, Rice, Singer, Inverso, Adler, Turner,
Assemblymen Conaway, Conners and Gregg**

SYNOPSIS

Prohibits police ticket quota for motor vehicle violations.

CURRENT VERSION OF TEXT

As amended by the General Assembly on October 30, 2000.



(Sponsorship Updated As Of: 10/31/2000)

1 AN ACT concerning quotas for motor vehicle and traffic violations and
2 supplementing Title 40A of the New Jersey Statutes.

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

6
7 1. For the purposes of this act:

8 "Citation" means a citation as defined in section 4 of P.L.1983, c.46
9 (C.39:5F-4).

10 "Quota" means any requirement¹, in writing or otherwise,¹
11 regarding the number of arrests made or the number of citations issued
12 within a defined period of time by a law enforcement officer, or
13 ¹regarding¹ the proportion of the arrests made and citations issued by
14 the law enforcement officer relative to the arrests made and citations
15 issued by another law enforcement officer or group of officers.

16

17 2. a. A State, county or municipal police department or force
18 engaged in the enforcement of Title 39 of the Revised Statutes or any
19 local ordinance adopted pursuant to this title shall not establish any
20 ¹[policy, either formal or informal, requiring or suggesting that any
21 law enforcement officer meet a]¹ quota for arrests or citations. ¹The
22 department or force may, however, collect, analyze and apply
23 information concerning the number of arrests and citations in order to
24 ensure that a particular officer or group of officers does not violate
25 any applicable legal obligation.¹

26 b. The department or force shall not use the number of arrests or
27 citations issued by a law enforcement officer as the sole ¹[or
28 primary]¹ criterion for promotion, demotion, dismissal, or the earning
29 of any benefit provided by the department or force. Any such arrests
30 or citations, and their ultimate dispositions, may ¹[only]¹ be
31 considered in evaluating the overall performance of a law enforcement
32 officer. ¹[Such an evaluation may include, but shall not be limited to,
33 criteria such as complaints by citizens, attendance, punctuality, work
34 safety, commendations, demeanor, formal training and professional
35 judgment.]¹

36

37 3. This act shall take effect on the first day of the second month
38 after enactment.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 floor amendments adopted October 30, 2000.

STATEMENT TO

SENATE, No. 64

with Assembly Floor Amendments
(Proposed By Assemblyman CONAWAY)

ADOPTED: OCTOBER 30, 2000

Senate Bill No. 64 prohibits State and local law enforcement agencies from establishing policies requiring officers to meet quotas for arrests and citations in enforcing the State's motor vehicle code.

These Assembly amendments clarify that even though a State or local police department is prohibited from establishing a quota for arrests or citations, the department still may collect, analyze and apply information concerning the number of arrests and citations made by police officers to ensure that these officers are not violating applicable legal obligations.

The amendments also clarify that: 1) the number of arrests made and citations issued by a police officer may be considered in evaluating the officer's overall performance, but may not be the sole criterion for promotion, demotion, dismissal or award of a benefit; and 2) quotas in any form are prohibited, whether they are in writing or otherwise.

§§1, 2
C.40A:14-181.1 &
40A:14-181.2
§3
Note to §§1, 2

P.L. 2000, CHAPTER 164, *approved December 12, 2000*
Senate, No. 64 (*First Reprint*)

1 AN ACT concerning quotas for motor vehicle and traffic violations and
2 supplementing Title 40A of the New Jersey Statutes.

3

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

6

7 1. For the purposes of this act:

8 "Citation" means a citation as defined in section 4 of P.L.1983, c.46
9 (C.39:5F-4).

10 "Quota" means any requirement¹, in writing or otherwise,¹
11 regarding the number of arrests made or the number of citations issued
12 within a defined period of time by a law enforcement officer, or
13 ¹regarding¹ the proportion of the arrests made and citations issued by
14 the law enforcement officer relative to the arrests made and citations
15 issued by another law enforcement officer or group of officers.

16

17 2. a. A State, county or municipal police department or force
18 engaged in the enforcement of Title 39 of the Revised Statutes or any
19 local ordinance adopted pursuant to this title shall not establish any
20 ¹[policy, either formal or informal, requiring or suggesting that any
21 law enforcement officer meet a]¹ quota for arrests or citations. ¹The
22 department or force may, however, collect, analyze and apply
23 information concerning the number of arrests and citations in order to
24 ensure that a particular officer or group of officers does not violate
25 any applicable legal obligation.¹

26

27 b. The department or force shall not use the number of arrests or
28 citations issued by a law enforcement officer as the sole ¹[or
29 primary]¹ criterion for promotion, demotion, dismissal, or the earning
30 of any benefit provided by the department or force. Any such arrests
31 or citations, and their ultimate dispositions, may ¹[only]¹ be
32 considered in evaluating the overall performance of a law enforcement
33 officer. ¹[Such an evaluation may include, but shall not be limited to,
34 criteria such as complaints by citizens, attendance, punctuality, work
35 safety, commendations, demeanor, formal training and professional
judgment.]¹

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 floor amendments adopted October 30, 2000.

1 3. This act shall take effect on the first day of the second month
2 after enactment.

3

4

5

6

7 Prohibits police ticket quota for motor vehicle violations.

CHAPTER 164

AN ACT concerning quotas for motor vehicle and traffic violations and supplementing Title 40A of the New Jersey Statutes.

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

C.40A:14-181.1 Definitions regarding motor vehicle, traffic violations.

1. For the purposes of this act:

"Citation" means a citation as defined in section 4 of P.L.1983, c.46 (C.39:5F-4).

"Quota" means any requirement, in writing or otherwise, regarding the number of arrests made or the number of citations issued within a defined period of time by a law enforcement officer, or regarding the proportion of the arrests made and citations issued by the law enforcement officer relative to the arrests made and citations issued by another law enforcement officer or group of officers.

C.40A:14-181.2 Police ticket quota for motor vehicle violations prohibited; permitted use of statistics.

2. a. A State, county or municipal police department or force engaged in the enforcement of Title 39 of the Revised Statutes or any local ordinance adopted pursuant to this title shall not establish any quota for arrests or citations. The department or force may, however, collect, analyze and apply information concerning the number of arrests and citations in order to ensure that a particular officer or group of officers does not violate any applicable legal obligation.

b. The department or force shall not use the number of arrests or citations issued by a law enforcement officer as the sole criterion for promotion, demotion, dismissal, or the earning of any benefit provided by the department or force. Any such arrests or citations, and their ultimate dispositions, may be considered in evaluating the overall performance of a law enforcement officer.

3. This act shall take effect on the first day of the second month after enactment.

Approved December 12, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: December 12, 2000

**Governor Signs Bill Barring Police Ticket Quotas for Motor Vehicle
Violations**

ATLANTIC HIGHLANDS - Governor Christie Whitman today signed into law legislation prohibiting police ticket quotas for motor vehicle violations by law enforcement agencies during a meeting of the New Jersey Police Benevolent Association.

"The passage of this bill will help ensure that an officer's performance is accurately measured and it will allow our law enforcement officers to focus on public safety, not on ticket writing," said Gov. Whitman.

"New Jersey police officers perform a difficult, dangerous and at times thankless job for our citizens. We need to do all we can to help them do that work to the best of their abilities," continued the Governor.

The bill, S-64, was sponsored by Senators Bucco (R-Morris) and Robertson (R-Essex/Passaic) and Assemblyman Conaway (D-Burlington/Camden). The bill will prohibit law enforcement agencies from using the volume of an officer's arrests or citations as the sole basis for personnel actions such as promotions, demotions and other benefits of employment. The agencies would be able to consider arrest and summons data as part of the officer's overall evaluation. In addition, the bill expressly permits police agencies to collect, analyze and apply arrest and summons statistics to ensure that officers do not violate any legal obligations.

A quota is defined in the bill as a requirement regarding the number of arrests made and summonses issued by an officer within a defined time period or a requirement regarding the proportion of arrests made by the law enforcement officer relative to the arrests and citations made by other officers.

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

“New law prohibits ticket quotas for cops,” 12-13-2000 Star Ledger, p.46

“Ticket quotas are now illegal,” 12-13-2000 The Record, p.A8

“N.J. traffic ticket, arrest quotas to end next year,” 12-13-2000 The Press, p.A15

“Cops quota for tickets outlawed,” 12-13-2000, Courier News, p.A3

“Whitman signs bill to end ticket quotas,” 12-13-2000 Home News and Tribune, p.A3