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LEGISLATIVE HISTORY CHECKLIST
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(DOT aid--municipalities)

NJSA: 27:1B-25

LAWS OF: 1995 **CHAPTER:** 99

BILL NO: A1395

SPONSOR(S): Azzolina and others

DATE INTRODUCED: February 28, 1994

COMMITTEE: **ASSEMBLY:** Transportation

SENATE: Transportation

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

DATE OF PASSAGE: **ASSEMBLY:** December 5, 1994

SENATE: March 30, 1995

DATE OF APPROVAL: May 9, 1995

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: Yes

HEARINGS: No

report, referred to in statements:

974.90 New Jersey. Commission of Business Efficiency of the Public
S372 Schools.

1994a Pupil transportation; plans for change. March, 1994, Trenton,
1994.

[pp. 2-3, 35-36]

KBG:pp

P.L.1995, CHAPTER 99, *approved May 9, 1995*
1994 Assembly No. 1395 (*Second Reprint*)

AN ACT concerning aid to municipalities for certain transportation projects and amending P.L.1984, c.73.

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

1. Section 25 of P.L.1984, c.73 (C.27:1B-25) is amended to read as follows:

25. a. Notwithstanding the provisions of subtitle 4 of Title 27 of the Revised Statutes and P.L.1946, c.301 (C.27:15A-1 et seq.), the commissioner may, pursuant to appropriations or authorizations being made from time to time by the Legislature according to law, allocate to counties and municipalities funds for the planning, acquisition, engineering, construction, reconstruction, repair, resurfacing and rehabilitation of public highways and the planning, acquisition, engineering, construction, reconstruction, repair, maintenance and rehabilitation of public transportation projects and of other transportation projects which a county or municipality may be authorized by law to undertake. In the case of a county or municipality for which an allocation has been made for the federal fiscal year beginning October 1, 1983, of an amount of federal aid for the federal aid urban system, as defined in 23 U.S.C.§103, the amount of State aid allocated under this section in any fiscal year shall not be less than the amount of federal aid so allocated, together with the amount of matching funds required under federal law. No allocation shall be made to a county or municipality without certification by the commissioner: (1) that there exists with respect to that county or municipality a comprehensive plan, or plans, which he has approved, for the effective allocation, utilization and coordination of available federal and State transportation aid, and (2) that the county or municipality has agreed that State aid provided under this section is provided in lieu of federal aid for the federal aid urban system program and that any federal aid for the federal aid urban system program attributable to the area will be programmed by the Department of Transportation for projects of regional significance. In any year in which insufficient funds have been appropriated to meet the minimum county allocations established in this section, or if no appropriation is provided, the commissioner shall determine on a prorated basis the amount of the deficiency for each county having a minimum allocation and allocate from funds available under the federal aid urban system program sufficient funds to meet the minimum allocations.

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 ATC committee amendments adopted October 6, 1994.

² Assembly floor amendments adopted December 1, 1994.

b. The commissioner shall, pursuant to appropriations or authorizations being made from time to time by the Legislature according to law and pursuant to the provisions of subsection d. of this section, allocate at his discretion State aid to municipalities for public highways under their jurisdiction and for emergency transportation projects, except that the amount to be appropriated for this program shall be 15% of the amount appropriated pursuant to the provisions of paragraph (2) of subsection d. of this section.

c. The commissioner shall, pursuant to appropriations or authorizations being made from time to time by the Legislature according to law and pursuant to the provisions of subsection d. of this section, allocate State aid to municipalities for public highways under their jurisdiction, except that the amount to be appropriated for this purpose shall be 85% of the amount appropriated pursuant to the provisions of paragraph (2) of subsection d. of this section. The amount to be appropriated shall be allocated on the basis of the following distribution factor:

$$DF = \frac{Pc}{Ps} + \frac{Cm}{Sm}$$

where, DF equals the distribution factor

Pc equals county population

Ps equals State population

Cm equals municipal road mileage within the county

Sm equals municipal road mileage within the State.

After the amount of aid has been allocated based on the above formula, the commissioner shall determine priority for the funding of municipal projects within each county, based upon criteria relating to volume of traffic, safety considerations, growth potential, readiness to obligate funds and local taxing capacity ²{and shall give the highest priority to projects which are intended to remedy hazardous conditions as identified for ¹[proposes] purposes¹ of providing transportation pursuant to N.J.S.18A:39-1.2 for school pupils]. In addition to the above criteria used in determining priority of funding of municipal projects in each county, the commissioner shall consider whether a project is intended to remedy hazardous conditions as identified for the purposes of providing transportation pursuant to N.J.S.18A:39-1.2 for school pupils².

For the purposes of this subsection, (1) "population" means the official population count as reported by the New Jersey Department of Labor; and (2) "municipal road mileage" means that road mileage under the jurisdiction of municipalities, as determined by the department.

d. There shall be appropriated at least \$30,000,000.00 in each fiscal year for the purposes provided herein and in subsections b. and c. of this section. (1) Of that appropriation, the commissioner shall allocate \$5,000,000.00 as State aid to any municipality qualifying for aid pursuant to the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.). The commissioner shall

allocate the aid to each municipality in the same proportion that the municipality receives aid under P.L.1978, c.14. (2) The remaining amount of the appropriation shall be allocated pursuant to the provisions of subsections b. and c. of this section.

(cf: P.L.1991, c.40, s.7)

2. This act shall take effect immediately.

Requires DOT to consider projects improving hazardous conditions for school pupils in criteria used in determining discretionary aid for municipal road projects.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1395

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 1994

The Assembly Transportation and Communications Committee favorably reports Assembly Bill No. 1395 with committee amendments.

This bill would require the Commissioner of Transportation, when determining the allocation of discretionary aid from the New Jersey Transportation Trust Fund, to give the highest priority to projects which are intended to remedy hazardous conditions for school pupils on municipal roads. This bill was recommended by the Commission on Business Efficiency of the Public Schools in its report on Pupil Transportation. The Commission found that since the time the current definition of remote from school was established, traffic and congested roadways have changed the nature of the conditions encountered by pupils when walking to and from school and, therefore, projects designed to improve hazardous conditions for pupils on municipal roads should have the highest priority when determining discretionary aid.

The committee adopted technical amendments to the bill to correct a typographical error.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[SECOND REPRINT]

ASSEMBLY, No. 1395

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1995

The Senate Transportation Committee favorably reports Assembly Bill No. 1395(2R).

The amended bill would require the Commissioner of Transportation to consider whether a municipal project to be funded by State aid to municipalities under the New Jersey Transportation Trust Fund program is intended to remedy hazardous conditions as identified for the purposes of providing transportation for school pupils by municipalities pursuant to N.J.S.18A:34-1.2. This would be in addition to the criteria already provided by law to be used by the commissioner in determining priority for the funding of municipal projects in each county.

The subject matter of this bill has been addressed by the Commission on Business Efficiency of the Public Schools in its report on Pupil Transportation. The commission found that since the time the current definition of "remote from school" was established, traffic and congested roadways have changed the nature of the conditions encountered by pupils when walking to and from school, and the commission highlighted the need to remedy hazardous conditions for pupils on municipal roads.

This bill is identical to S-1608, as amended and reported by the committee, on the same date.