

2C:33-14.1

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 2C:33-14.1 (Railroad crossing signals-vandalism penalties)

LAWS OF: 1991 **CHAPTER:** 335

Bill No: S2347

Sponsor(s): Cafiero

Date Introduced: March 5, 1990

Committee: Assembly: Transportation

Senate: Law, Public Safety

Amended during passage: No

Date of Passage: Assembly: December 2, 1991

Senate: May 24, 1990

Date of Approval: January 6, 1992

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

P.L.1991, CHAPTER 335, approved January 6, 1992
1990 Senate No. 2347

1 AN ACT establishing penalties for vandalizing certain railroad
2 warning signals and devices, and supplementing chapter 33 of
3 Title 2C of the New Jersey Statutes.

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

7 1. Any person who purposely, knowingly or recklessly defaces,
8 damages, obstructs or otherwise impairs the operation of any
9 railroad crossing warning signal or protection device, including,
10 but not limited to safety gates, electric bell, electric sign or any
11 other alarm or protection system authorized by the Commissioner
12 of Transportation, which is required under the provisions of
13 R.S.48:12-54 or R.S.48:2-29, shall, for a first offense, be guilty
14 of a disorderly persons offense. For any subsequent violation of
15 this act, the offender shall be guilty of a crime of the fourth
16 degree.

17 2. This act shall take effect immediately.

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20 STATEMENT

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22 Under the provisions of this bill, any person who purposely,
23 knowingly or recklessly defaces, damages, obstructs or otherwise
24 impairs the operation of any railroad crossing warning signal or
25 protection device is, for a first offense, guilty of a disorderly
26 persons offense. A disorderly persons offense is punishable by a
27 fine of not more than \$1,000, imprisonment for a term of not
28 more than six months, or both.

29 For a second or any subsequent violation, the offender is guilty
30 of a crime of the fourth degree. A crime of the fourth degree is
31 punishable by a fine of not more than \$7,500, imprisonment for a
32 term of not more than 18 months, or both.

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35 PUBLIC SAFETY

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37 Establishes penalties for vandalizing railroad warning signals and
38 devices.

SENATE, No. 2347
STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1990

By Senator CAFIERO

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ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2347

STATE OF NEW JERSEY

DATED: AUGUST 1, 1991

The Assembly Transportation Committee favorably reports Senate Bill No. 2347 of 1990.

The bill makes it a criminal offense to purposely, knowingly or recklessly deface, damage, obstruct or impair the operation of a railroad signal or protection device.

State law currently does not provide penalties for this specific activity. Prior to the recodification of the State's criminal code into Title 2C of the New Jersey Statutes, the law had provided that similar activity was a disorderly persons offense and provided penalties accordingly. However, this section of the code was not enacted as part of the recodification.

The bill provides that any person who purposely, knowingly or recklessly defaces, damages, obstructs or otherwise impairs the operation of any railroad crossing warning signal or protection device is, for a first offense, guilty of a disorderly persons offense. For a second or any subsequent violation, the offender is guilty of a crime of the fourth degree.

A disorderly persons offense is punishable by a fine of not more than \$1,000, imprisonment for a term of not more than six months, or both. A crime of the fourth degree is punishable by a fine of not more than \$7,500, imprisonment for a term of not more than 18 months, or both.

This bill is identical to Assembly Bill No. 3201, which was referred to the Assembly Transportation Committee on March 8, 1990 and was also reported out of the Assembly Transportation Committee on August 1, 1991.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 2347

STATE OF NEW JERSEY

DATED: APRIL 26, 1990

The Senate Law, Public Safety and Defense Committee reports favorably Senate Bill No. 2347.

Under the provisions of this bill, any person who purposely, knowingly, or recklessly defaces, damages, obstructs, or impairs the operation of a railroad crossing warning signal or protection device is, on a first offense, guilty of a disorderly persons offense. A disorderly persons offense is punishable by a fine of not more than \$1,000, imprisonment for a term of not more than six months, or both.

For a subsequent violation, the offender would be guilty of a crime of the fourth degree. A crime of the fourth degree is punishable by a fine of not more than \$7,500, imprisonment for a term of not more than 18 months, or both.