

ASSEMBLY, No. 1678

STATE OF NEW JERSEY
213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Assemblyman GARY R. CHIUSANO

District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS

Prohibits foreign ownership of certain transportation infrastructure.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT prohibiting foreign ownership of certain transportation
2 infrastructure and supplementing Title 27 of the Revised
3 Statutes.

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

7
8 1. Notwithstanding any law, rule, or regulation to the contrary,
9 neither the State, nor the Commissioner of Transportation or any
10 other officer or employee of the State, nor any other person acting
11 on behalf of the State or of any agency, board, commission,
12 department, division, or instrumentality thereof, shall enter into any
13 contract or private agreement for the sale, acquisition, purchase,
14 lease, or operation in any manner of the State highway system or
15 any part thereof, with any corporation, or instrumentality thereof,
16 that is:

17 a. Organized, incorporated, or doing business under the laws or
18 jurisdiction of a foreign sovereign or country other than the United
19 States and does not have a principal place of business in this State,
20 any other state, or in the United States; or

21 b. Owned, controlled, managed, or maintained in any manner by
22 the government of a foreign sovereign or country other than the
23 United States.

24 For the purposes of this section:

25 “State highway system” shall have the meaning prescribed for
26 that term by R.S.27:7-1.

27

28 2. Notwithstanding any law, rule, or regulation to the contrary,
29 the authority shall not enter into any contract or private agreement
30 for the sale, acquisition, purchase, or lease, including but not
31 limited to the sharing or pledging of its tolls or other revenues, or
32 for the operation in any manner of any highway project with any
33 corporation, or instrumentality thereof, that is:

34 a. Organized, incorporated, or doing business under the laws or
35 jurisdiction of a foreign sovereign or country other than the United
36 States and does not have a principal place of business in this State,
37 any other state, or in the United States; or

38 b. Owned, controlled, managed, or maintained in any manner by
39 the government of a foreign sovereign or country other than the
40 United States.

41 For the purposes of this section:

42 “Authority” means the New Jersey Turnpike Authority.

43 “Highway project” shall have the meaning prescribed for that
44 term by section 4 of P.L.1948, c.454 (C.27:23-4).

45 “Transportation project” shall have the meaning prescribed for
46 that term by section 4 of P.L.1948, c.454 (C.27:23-4).

1 3. Notwithstanding any law, rule, or regulation to the contrary,
2 the authority shall not enter into any contract or private agreement
3 for the sale, acquisition, purchase, or lease, including but not
4 limited to the sharing or pledging of its tolls or other revenues, or
5 for the operation in any manner of any expressway project or any
6 part thereof, with any with any corporation, or instrumentality
7 thereof, that is:

8 a. Organized, incorporated, or doing business under the laws or
9 jurisdiction of a foreign sovereign or country other than the United
10 States and does not have a principal place of business in this State,
11 any other state, or in the United States; or

12 b. Owned, controlled, managed, or maintained in any manner by
13 the government of a foreign sovereign or country other than the
14 United States.

15 For the purposes of this section:

16 “Authority” means the South Jersey Transportation Authority.

17 “Expressway project” shall have the meaning prescribed for that
18 term by section 3 of P.L.1991, c.252 (C.27:25A-3).

19

20 4. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill would prohibit foreign ownership of certain
26 transportation infrastructure in the State of New Jersey.
27 Specifically, this bill would prohibit the State or any official acting
28 on behalf of the State from entering into any contract or private
29 agreement for the sale, acquisition, purchase, lease, or operation in
30 any manner of the State highway system or any part of that system,
31 with any corporation, or instrumentality of that corporation, that is
32 organized, incorporated, or doing business under the laws or
33 jurisdiction of a foreign sovereign or country other than the United
34 States that does not have a principal place of business in this State,
35 any other state, or in the United States, or any corporation, or
36 instrumentality of that corporation, that is owned, controlled,
37 managed, or maintained in any manner by the government of a
38 foreign sovereign or country other than the United States.

39 Likewise this bill would also prohibit the New Jersey Turnpike
40 Authority, and the South Jersey Transportation Authority from
41 entering into any contract or private agreement for the sale,
42 acquisition, purchase, or lease, including but the sharing or pledging
43 of tolls or other revenues, or for the operation in any manner of the
44 New Jersey Turnpike, the Garden State Parkway, or the Atlantic
45 City Expressway, respectively, with any corporation, or
46 instrumentality of that corporation, that is organized, incorporated,
47 or doing business under the laws or jurisdiction of a foreign
48 sovereign or country other than the United States that does not have

A1678 MCHOSE, CHIUSANO

4

1 a principal place of business in this State, any other state, or in the
2 United States, or any corporation, or instrumentality of that
3 corporation, that is owned, controlled, managed, or maintained in
4 any manner by the government of a foreign sovereign or country
5 other than the United States.