

[First Reprint]

**ASSEMBLY, No. 4114**

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

INTRODUCED SEPTEMBER 15, 2016

**Sponsored by:**

**Assemblywoman ELIZABETH MAHER MUOIO**

**District 15 (Hunterdon and Mercer)**

**Assemblyman GARY S. SCHAER**

**District 36 (Bergen and Passaic)**

**Assemblyman CRAIG J. COUGHLIN**

**District 19 (Middlesex)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman JAMEL C. HOLLEY**

**District 20 (Union)**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Assemblyman REED GUSCIORA**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblymen Chiaravalloti, C.A.Brown, Assemblywoman McKnight,  
Assemblyman Danielsen, Assemblywomen Quijano and Caride**

**SYNOPSIS**

Requires DOT to compensate local government entities for contractual delay damages resulting from shutdown of transportation projects funded by Transportation Trust Fund; authorizes local government entities to use certain funds for transportation projects.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Transportation and Independent Authorities Committee on September 22, 2016, with amendments.

**(Sponsorship Updated As Of: 9/30/2016)**

1 AN ACT concerning local transportation aid <sup>1</sup>**[and]**,<sup>1</sup> delay damages  
2 for construction contracts <sup>1</sup>, and continuance or completion of  
3 certain transportation projects<sup>1</sup>.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. The Department of Transportation shall make payment on  
9 behalf of a local government entity, or provide full reimbursement  
10 to a local government entity, for any delay damages resulting from  
11 the issuance of Executive Order No. 210 of 2016 on any  
12 construction contract between a local government entity and a  
13 contractor funded, in whole or in part, from aid provided by the  
14 department, through grants or otherwise, pursuant to the aid  
15 programs established in section 25 of P.L.1984, c.73 (C.27:1B-25).  
16

17 <sup>1</sup>2. Notwithstanding the provisions of any law, rule, regulation,  
18 or executive order to the contrary, a local government entity may  
19 use its own funds in order to continue or complete a transportation  
20 project halted as a result of the issuance of Executive Order No. 210  
21 of 2016. The Department of Transportation, and any other  
22 executive branch agency, shall not withhold, revoke, or otherwise  
23 cancel local aid provided by the department pursuant to the aid  
24 programs established in section 25 of P.L.1984, c.73 (C.27B:1-25),  
25 authorized as of the effective date of this act or authorized at some  
26 future date, due to the local government entity's decision to use its  
27 funds according to the provisions of this act.<sup>1</sup>  
28

29 <sup>1</sup>**[2.]** 3.<sup>1</sup> This act shall take effect immediately.

**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:

<sup>1</sup>Assembly ATR committee amendments adopted September 22, 2016.