

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 407

STATE OF NEW JERSEY

DATED: FEBRUARY 18, 2010

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably Assembly Bill No. 407.

As reported, this bill would prohibit the use of a wireless telephone or electronic communication device by an operator of a moving vehicle involved in the provision of public transportation service. Such service may be provided by New Jersey Transit, any public or private entity under contract to New Jersey Transit, or any private entity operating under the authority of a certificate of public convenience and necessity. "Use" of a wireless telephone or electronic communication device shall include, but not be limited to, talking or listening to another person on the telephone, text messaging, or sending an electronic message via the wireless telephone or electronic communication device.

An operator of a moving vehicle involved in the provision of public transportation service may use a wireless telephone or electronic communication device in the event of an emergency or when radio communication failure occurs.

A violation of this bill is considered a disorderly persons offense, which is punishable by a fine not exceeding \$1,000, imprisonment for up to 6 months, or both.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.