

# SENATE, No. 264

## STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Senator JEFF VAN DREW**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator CHRISTOPHER J. CONNORS**

**District 9 (Atlantic, Burlington and Ocean)**

**Senator JOHN A. GIRGENTI**

**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 7/8/2010)**

1 AN ACT concerning emergency management, supplementing  
2 chapter 9 of Appendix A, and amending P.L.1989, c.222.

3

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

6

7 1. (New section) For the purposes of this act:

8 “Alternative emergency power generator” means an electricity-  
9 generating installation system that operates to provide the  
10 electricity needs of a building or structure if the normal source of  
11 electricity is disrupted due to a power outage;

12 “Critical infrastructure” means all buildings or structures in the  
13 State that are indispensably necessary for national security,  
14 economic stability, and public safety;

15 “Director” means the Director of the State Office of Emergency  
16 Management in the Division of State Police;

17 “Emergency” means an emergency or local disaster emergency  
18 as defined in section 3 of P.L.1953, c. 438 (C.App.A:9-33.1)

19 “Lane reversal strategy” means an evacuation plan that reverses  
20 the flow of traffic in lanes that are normally configured for travel in  
21 one direction, resulting in all traffic traveling in the same direction  
22 on all lanes of a highway;

23 “Long term emergency shelter” means a building or structure in  
24 which a public entity or a private, nonprofit organization provides  
25 shelter for a period of time extending longer than six months to  
26 individuals and families who have been displaced from their homes  
27 due to an emergency;

28 “Special needs” means a physical or mental disability or medical  
29 care need of an individual who, after exhausting all other resources  
30 still needs assistance for evacuation or sheltering before, during, or  
31 after a disaster or emergency; and

32 “Temporary emergency shelter” means a building or structure in  
33 which a public entity or a private, nonprofit organization provides  
34 shelter to individuals and families who have been displaced from  
35 their homes due to an emergency until that emergency has ceased.

36

37 2. (New section) a. The director shall develop and undertake an  
38 annual public awareness program to educate the public concerning  
39 the State’s plan to evacuate New Jersey’s coastal areas in a time of  
40 emergency. The program shall incorporate the use of both the  
41 broadcast and print media.

42 b. The program shall inform the public of:

43 (1) methods by which the State is to notify the public of the  
44 initiation of an emergency evacuation of a coastal area;

45 (2) appropriate evacuation routes;

**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.**

1 (3) alternative methods of evacuation, other than that utilizing a  
2 personal motor vehicle;

3 (4) information concerning the preparation and storing of  
4 personal evacuation kits;

5 (5) appropriate supplies of food and potable water that  
6 individuals and families should have readily available; and

7 (6) information relating to the support of, and care for animals,  
8 particularly service animals and pets subject to a coastal evacuation;  
9 and

10 (7) any such other matters as the director shall deem appropriate  
11 and necessary.

12 c. In developing this plan, and in making any subsequent  
13 revisions, the director shall consult with the Emergency  
14 Management Offices of the affected counties and municipalities.  
15

16 3. (New section) a. The director, in consultation with the  
17 Department of Health and Senior Services and the Department of  
18 Community Affairs, shall appoint a commission comprised of  
19 experts from each department that shall be authorized to:

20 (1) identify appropriate elementary and secondary school  
21 buildings to serve as adequate locations for temporary emergency  
22 shelter during an emergency;

23 (2) identify elementary and secondary schools that do not meet  
24 the standards for the licensing of emergency shelters promulgated  
25 pursuant to section 5 of P.L.1985, c.48 (C.55:13C-5), and, if  
26 needed, allocate funding for the purpose of renovating, repairing, or  
27 altering those school buildings so that they may serve as adequate  
28 short term emergency shelters; and

29 (3) identify and reserve specific locations to serve as long term  
30 emergency shelters, during an emergency, for the benefit of  
31 individuals who have been displaced from their residence for an  
32 extended period of time as a result of that emergency or local  
33 disaster emergency. Locations that meet the necessary standards  
34 for the licensing of emergency shelters promulgated pursuant to  
35 section 5 of P.L.1985, c.48 (C.55:13C-5) shall be archived by the  
36 commission and may be submitted on an annual basis to the  
37 Governor for approval of acquisition of the location by the State.

38 b. Following the effective date of this act, all elementary and  
39 secondary school buildings shall be constructed in a manner so that  
40 they may serve as adequate locations for temporary emergency  
41 shelters during a declared emergency.  
42

43 4. (New section) a. The director shall establish a coastal  
44 operations team composed of experts in emergency evacuation and  
45 emergency shelter management from within the Division of State  
46 Police. The coastal operations team shall review and assess the  
47 evacuation plans of the State's coastal counties, as well as other

1 surrounding counties that the team determines would be affected by  
2 an evacuation of the coast in the event of an emergency.

3 b. It shall be the primary responsibility of the coastal operations  
4 team to:

5 (1) ensure consistency among the various county evacuation  
6 plans, and to integrate those plans into a Statewide evacuation plan;  
7 and

8 (2) work in coordination with the county offices of emergency  
9 management to revise any evacuation plan that, upon review,  
10 proves to be inconsistent with the evacuation plans of other  
11 counties, or with the State Emergency Operations Plan Guidelines.

12 c. The coastal operations team shall biannually report its  
13 progress to the Governor with its recommendations for the  
14 improvement and development of county emergency evacuation.  
15

16 5. (New section) The director shall work in conjunction with  
17 the county emergency management coordinator in each county to  
18 locate and identify all critical infrastructures in the State that would  
19 need an alternative emergency power generator in the event of a  
20 Statewide emergency.  
21

22 6. (New section) a. Each county in the State may establish a  
23 central registry for residents with special needs who require  
24 additional assistance provided to them during an emergency. A  
25 central registry created pursuant to this section shall be maintained  
26 by each county office of emergency management, and shall be  
27 composed of information voluntarily provided by each registrant  
28 that includes, but is not limited to, the registrant's address,  
29 telephone number, and particular condition.

30 b. Each county that creates such a registry shall conduct a public  
31 awareness campaign to inform the general public of the importance  
32 of identifying individuals with special needs prior to an emergency  
33 so that appropriate preparations may be made to ensure that these  
34 individuals receive necessary assistance during an evacuation.  
35 Information collected pursuant to this section shall be treated as  
36 confidential but may be forwarded to the State Office of Emergency  
37 Management as part of the Emergency Operations Plan required  
38 pursuant to section 19 of P.L.1989, c.222 (C.App.A:9-43.2).  
39

40 7. (New section) a. The Division of State Police shall work in  
41 conjunction with county emergency management coordinators to  
42 implement a lane reversal strategy on the Atlantic City Expressway,  
43 the Garden State Parkway, and Route 287 in this State in  
44 preparation for any emergency evacuation.

45 b. The operator of a motor vehicle shall not tow any trailer,  
46 semitrailer, or any other type of drawn or towed trailer, including a  
47 trailer transporting a boat, on a public highway located in an area

1 where an emergency has been declared and any evacuation plan,  
2 including but not limited to a reverse lane strategy, is in effect.  
3 This prohibition shall not apply to emergency vehicles.  
4

5 8. Section 18 of P.L. 1989, c.222 (App.A:9-43.1) is amended to  
6 read as follows:

7 18. The State Office of Emergency Management shall adopt, no  
8 later than 12 months following the effective date of this act, a State  
9 Emergency Operations Plan, including rules, regulations, and  
10 guidelines, that shall be reviewed and updated at least every two  
11 years.

12 a. These plans shall include , but not be limited to, provisions[,]  
13 which shall be developed in consultation with:

14 (1) the Department of Agriculture, to support the needs of  
15 animals and individuals with an animal under their care, including  
16 domestic livestock, a domesticated animal, or a service animal, in a  
17 major disaster or emergency; and

18 (2) the Department of Health and Senior Services, to provide for  
19 a coordinated Statewide evacuation strategy for all hospitals and  
20 other health care facilities in the State, alternative sources of care  
21 for evacuated patients, and proposed sites of temporary shelter in  
22 the event of an emergency. The Statewide evacuation strategy shall  
23 be based on evacuation plans prepared pursuant to section 19 of  
24 P.L.1989, c. 222 (C.App.A:9-43.2) and submitted to the State  
25 Office of Emergency Management by each county and municipality  
26 in the State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-  
27 43.2).

28 b. Each plan shall include provisions that specifically address  
29 the needs, and facilitate the safe and timely evacuation, of the  
30 families and dependents of the emergency responders rendering  
31 major disaster or emergency services.

32 c. In addition, the State Office of Emergency Management shall  
33 take appropriate steps to educate the public regarding the resources  
34 available in the event of an emergency and the importance of  
35 emergency preparedness planning.

36 (cf: P.L.2006, c.92, s.1)  
37

38 9. Section 19 of P.L.1989, c.222 (App.A:9-43.2) is amended to  
39 read as follows:

40 19. Each county and municipality in the State shall prepare a  
41 written Emergency Operations Plan with all appropriate annexes  
42 necessary to implement the plan. The development of all plans  
43 shall be coordinated with the Emergency Operations Plans of the  
44 State, county and neighboring municipalities to ensure a regional  
45 coordinated response and the efficient use of resources.

46 a. These plans shall include , but not be limited to, provisions[,]  
47 which shall be developed in consultation with:

1       (1) the Department of Agriculture, to support the needs of  
2 animals and individuals with an animal under their care, including  
3 domestic livestock, a domesticated animal, or a service animal, in a  
4 major disaster or emergency; and

5       (2) the Department of Health and Senior Services to evaluate the  
6 evacuation procedures of hospitals and other health care facilities  
7 located in each county and municipality, alternative sources of care  
8 for evacuated patients, and proposed sites of temporary shelter in  
9 the event of an emergency.

10       b. Each plan shall include provisions that specifically address  
11 the needs, and facilitate the safe and timely evacuation, of the  
12 families and dependents of the emergency responders rendering  
13 major disaster or emergency services.

14       c. Each Emergency Operations Plan shall be adopted no later  
15 than one year after the State Emergency Planning Guidelines have  
16 been adopted by the State Office of Emergency Management and  
17 shall be evaluated at such subsequent scheduled review of the State  
18 Emergency Operations Plan.

19 (cf: P.L.2006, c.92, s.2)

20

21       10. This act shall take effect on the first day of the thirteenth  
22 month following enactment, but the Director of the State Office of  
23 Emergency Management may take such anticipatory administrative  
24 actions in advance thereof as shall be necessary for the  
25 implementation of this act.

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27

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#### STATEMENT

29

30       The provisions of this bill implement certain recommendations  
31 of the Final Report of the Assembly Coastal New Jersey Evacuation  
32 Task Force, which was submitted to the Speaker of the General  
33 Assembly on May 23, 2008. Specifically, the purpose of the bill is  
34 to improve the current evacuation plans throughout the State in  
35 preparation for a catastrophic event or natural disaster, such as a  
36 hurricane or nor'easter.

37       Under the provisions of the bill, the Director of the State Office  
38 of Emergency Management (OEM) is to develop and undertake a  
39 number of initiatives. First, the bill requires that the director  
40 develop an annual public awareness program to educate the public  
41 concerning the State's plan to evacuate New Jersey's coastal areas  
42 in times of emergency.

43       The bill further requires the director to work in consultation with  
44 the Department of Health and Senior Services and the Department  
45 of Community Affairs, to appoint a commission comprised of  
46 experts from each department. The commission would be  
47 authorized to identify and reserve elementary and secondary school

1 buildings to serve as temporary shelters during an emergency;  
2 allocate funding for the renovation of school buildings that do not  
3 meet the standard requirements for adequate sheltering so that they  
4 may serve as short term emergency shelters; and identify and  
5 reserve specific locations to serve as long term emergency shelters  
6 for the benefit of individuals who have been displaced from their  
7 residence for a period of greater than six months. Following the  
8 enactment of the bill, all schools in the State are to be constructed  
9 to serve as adequate shelters.

10 In addition, the bill provides for the creation of a separate State  
11 coastal operations team composed of experts from within the  
12 Division of State Police assigned to review and assess the county  
13 evacuation plans. Under the bill, it is the primary responsibility of  
14 the coastal operations team to ensure consistency among the various  
15 county evacuation plans, and integrate the county plans into a  
16 Statewide evacuation plan. The bill also requires the director of  
17 OEM to work in conjunction with the county emergency  
18 management coordinator in each county to locate and identify all  
19 critical infrastructure in the State that would be in need of an  
20 alternative emergency power generator in the event of a Statewide  
21 emergency.

22 The bill further provides that the State Police are to work in  
23 conjunction with county emergency management coordinators to  
24 implement a lane reversal strategy on the Atlantic City Expressway,  
25 the Garden State Parkway, and Route 287 in this State in  
26 preparation for an evacuation during an emergency. The bill  
27 prohibits the towing of trailers, and transportation of boats on  
28 public highways while any evacuation plan is in effect.

29 Under the provisions of the bill, each county is to establish a  
30 central registry for individuals with special needs who may need  
31 additional assistance during an emergency or local disaster  
32 emergency. The bill defines “special needs” as a physical or mental  
33 disability or medical care need of an individual who, after  
34 exhausting all other resources still needs assistance for evacuation  
35 or sheltering before, during, or after a disaster or emergency.

36 Finally, the bill amends current law to provide for the expansion  
37 of the Emergency Operation Plans on the State, county and  
38 municipal level. Current law only requires the State and local  
39 Emergency Operation Plans to address the needs of farm animals  
40 and service animals during an emergency. The bill provides that  
41 these emergency plans are to be expanded in order to support the  
42 needs of domestic livestock and domesticated animals.

43 Additionally, each Emergency Operations Plan is to include a  
44 provision specifically designed to address the needs and facilitate  
45 the safe and timely evacuation of the families and dependents of the  
46 emergency responders rendering major disaster or emergency  
47 services.

1       The bill further requires the counties and municipalities to  
2 include in their respective Emergency Operations Plans provisions  
3 that evaluate the evacuation procedures of hospitals and other  
4 health care facilities, alternate sources of care for evacuated  
5 patients, and proposed sites of temporary shelter in the event of an  
6 emergency. Under the bill, the State Office of Emergency  
7 Management is required to establish a Statewide evacuation strategy  
8 that will be based on evacuation plans submitted by the counties  
9 and municipalities.