

SENATE, No. 732

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator BRIAN P. STACK

District 33 (Hudson)

Co-Sponsored by:

Senator Girgenti

SYNOPSIS

Prohibits use of wireless telephones or electronic communication devices by operators of public transit vehicles while vehicles are moving.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 9/14/2010)

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1 AN ACT prohibiting the use of wireless telephones and electronic
2 communication devices by operators of public transportation
3 service and supplementing P.L.1979, c.150 (C.27:25-1 et seq.).
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. The use of a wireless telephone or electronic
9 communication device by an operator of a moving vehicle involved
10 in the provision of public transportation service, as defined under
11 section 3 of P.L.1979, c.150 (C.27:25-3), and including light rail
12 service or any other operations for the purpose of carrying
13 passengers in this State or between points in this State and points in
14 other states, provided by the New Jersey Transit Corporation, any
15 public or private entity under contract to the corporation, or any
16 private entity operating under the authority of a certificate of public
17 convenience and necessity issued under Title 48 of the Revised
18 Statutes, is unlawful.

19 "Use" of a wireless telephone or electronic communication
20 device shall include, but not be limited to, talking or listening to
21 another person on the telephone, text messaging, or sending an
22 electronic message via the wireless telephone or electronic
23 communication device.

24 b. The operator of a moving vehicle involved in the provision
25 of public transportation service may use a wireless telephone or
26 electronic communication device under the following
27 circumstances:

- 28 (1) in the event of an emergency; or
29 (2) when radio communication failure occurs.

30 c. A violation of this section is a disorderly persons offense.
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32 2. This act shall take effect immediately.
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35 STATEMENT
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37 This bill would prohibit the use of a wireless telephone or
38 electronic communication device by an operator of a moving
39 vehicle involved in the provision of public transportation service.
40 Such service may be provided by New Jersey Transit, any public or
41 private entity under contract to New Jersey Transit, or any private
42 entity operating under the authority of a certificate of public
43 convenience and necessity. "Use" of a wireless telephone or
44 electronic communication device shall include, but not be limited
45 to, talking or listening to another person on the telephone, text
46 messaging, or sending an electronic message a via the wireless
47 telephone or electronic communication device.

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

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