

[Second Reprint]

**SENATE, No. 2850**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED MAY 12, 2011

**Sponsored by:**

**Senator JEFF VAN DREW**

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

**Senator JIM WHELAN**

**District 2 (Atlantic)**

**Assemblyman MATTHEW W. MILAM**

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

**Assemblyman NELSON T. ALBANO**

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

**Assemblyman DAVID W. WOLFE**

**District 10 (Monmouth and Ocean)**

**Assemblyman JOHN F. AMODEO**

**District 2 (Atlantic)**

**Co-Sponsored by:**

**Senator Ciesla**

**SYNOPSIS**

Exempts beach bars, amusement parks and carnival amusement rides from noise restrictions of "Noise Control Act of 1971" during certain time periods and subject to certain conditions.

**CURRENT VERSION OF TEXT**

As amended by the Senate on December 15, 2011.



**(Sponsorship Updated As Of: 1/10/2012)**

1 AN ACT concerning noise restrictions on <sup>2</sup>beach bars,<sup>2</sup> amusement  
2 parks and carnival amusement rides and supplementing  
3 P.L.1971, c.418 (C.13:1G-1 et seq.).  
4

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

8 1. a. It shall not be a violation of the “Noise Control Act of  
9 1971,” P.L.1971, c.418 (C.13:1G-1 et seq.), or any rule or  
10 regulation established pursuant thereto, for a person to operate <sup>2</sup>:

11 (1) a beach bar, existing and operating as of August 31, 2011,  
12 during normal business hours, as defined by the department,  
13 between May 15 and October 15; or

14 (2)<sup>2</sup> an amusement park or a carnival amusement ride <sup>1</sup>, existing  
15 and operating as of August 31, 2011,<sup>1</sup> during normal business  
16 hours, as defined by the department, between May 15 and October  
17 15, provided, however, that the person operating the carnival  
18 amusement ride, whether within an amusement park or otherwise, is  
19 complying with the recommendations of the manufacturer for  
20 maintaining and lubricating the carnival amusement ride to  
21 minimize, to the extent practicable, the noise sources within and on  
22 the ride.

23 b. <sup>1</sup>In the event of the replacement of a carnival amusement  
24 ride existing and in operation as of August 31, 2011, the ride shall  
25 remain subject to the provisions of subsection a. of this section  
26 provided that the noise emissions of the new carnival amusement  
27 ride are less than or equal to the noise emissions of the ride that is  
28 being replaced.

29 c. <sup>1</sup>As used in this section:

30 “Amusement park” means “amusement park” as defined in  
31 section 1 of P.L.1992, c.118 (C.5:3-55).

32 “Carnival amusement ride” means “carnival amusement ride” as  
33 defined in section 2 of P.L.1975, c.105 (C.5:3-32).  
34

35 2. 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>Senate SEN committee amendments adopted September 19, 2011.

<sup>2</sup>Senate floor amendments adopted December 15, 2011.