

[First Reprint]

ASSEMBLY, No. 4958

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JANUARY 28, 2019

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District 19 (Middlesex)

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District 14 (Mercer and Middlesex)

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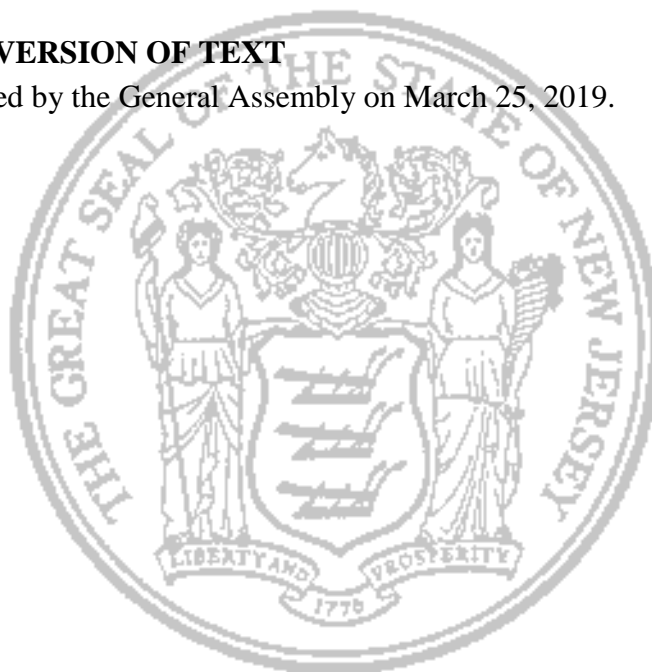
Assemblymen Space and Wirths

SYNOPSIS

Requires railroad operators to remove obstructive vegetation near railroad crossings.

CURRENT VERSION OF TEXT

As amended by the General Assembly on March 25, 2019.



(Sponsorship Updated As Of: 12/17/2019)

1 AN ACT concerning vegetation management and supplementing
2 Title 48 of the Revised Statutes.

3

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

6

7 1. a. Each railroad operator shall destroy or remove plants,
8 trees, brush, or other obstructive vegetation upon ¹and within the
9 geographical bounds of¹ its right-of-way at each intersection with a
10 public road or highway, for a distance of 300 feet ¹from the edge of
11 each side of the public road or highway¹ or such other distance
12 from ¹the edge of each side of¹ the public road or highway that the
13 Commissioner of Transportation determines to be reasonably safe.

14 b. When any railroad operator fails to destroy or remove such
15 vegetation within ¹**[10]** ¹15¹ days following written notice, from the
16 Department of Transportation¹, ¹or the governing body of a county
17 or municipality ¹provided that an electronic or physical copy of the
18 notice is delivered concurrently to the department¹, served on the
19 local agent of the railroad operator, the department ¹**[or the**
20 governing body of the county or municipality having jurisdiction
21 over the intersection]¹ may destroy or remove the plants, trees,
22 brush, or other obstructive vegetation and the railroad operator shall
23 be responsible to reimburse the department ¹**[or governing body]**¹
24 for the costs of such removal. If the railroad operator fails to
25 reimburse the department ¹**[or governing body]**¹ within 30 days of
26 notice by certified mail, the department ¹**[or governing body]**¹ may
27 use all available remedies by law to recover the costs.

28

29 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:

¹Assembly floor amendments adopted March 25, 2019.