

ASSEMBLY, No. 747

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman SULIGA

1 AN ACT concerning accidents involving certain snow removal  
2 equipment and amending P.L.1990, c.8.

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

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7 1. Section 26 of P.L.1990, c.8 (C.17:33B-14) is amended to read  
8 as follows:

9 26. The commissioner shall, within 90 days of the effective date of  
10 this act, promulgate a schedule of automobile insurance eligibility  
11 points by rule or regulation adopted pursuant to the "Administrative  
12 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The schedule  
13 shall assess a point valuation to driving experience related violations  
14 and shall include assessments for violations of lawful speed limits  
15 within such increments as determined by the commissioner, other  
16 moving violations, and at-fault accidents. For the purposes of this  
17 section, an "at-fault accident" means an at-fault accident which results  
18 in payment by the insurer of at least a \$500 claim; except that an  
19 at-fault accident shall not mean an accident involving a municipal  
20 public works employee while operating municipally-owned snow  
21 removal equipment during a snow emergency.

22 (cf: P.L.1990, c.8, s.26)

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24 2. This act shall take effect immediately.

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STATEMENT

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29 This bill would make an exception to the definition of "at-fault  
30 accident" for accidents involving a municipal public works employee  
31 while operating municipally-owned snow removal equipment during a  
32 snow emergency. Under current law, such accidents are charged

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 against the personal driving record of the employee and as such, could  
2 lead to the assessment of automobile insurance eligibility points  
3 against the employee.

4 Automobile insurance eligibility points may be used by companies  
5 as a rating factor in calculating an insured's automobile insurance  
6 premium. This bill would preclude an insurer from assessing  
7 automobile insurance eligibility points against a municipal public  
8 works employee who is involved in an accident while operating snow  
9 removal equipment, in the course of his employment, during a snow  
10 emergency.

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15 Provides exception to definition of "at-fault accident" for accidents  
16 involving municipal snow removal equipment during snow emergency.