

ASSEMBLY, No. 779

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman FARRAGHER

1 AN ACT concerning the provision of public transportation service by
2 the New Jersey Turnpike Authority and the New Jersey Highway
3 Authority, and amending the titles and bodies of P.L.1948, c.454
4 and P.L.1952, c.16.

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

8
9 1. The title of P.L.1948, c.454 (C.27:23-1 et seq.) is amended to
10 read as follows:

11 **AN ACT** to facilitate vehicular traffic and public transportation
12 service in the State of New Jersey by providing for the construction,
13 maintenance, repair and operation of turnpike projects; creating the
14 New Jersey Turnpike Authority and defining its powers and duties;
15 providing for financing such projects by the issuance of turnpike
16 revenue bonds or notes of the authority, payable solely from the tolls,
17 other revenues and proceeds of such bonds or notes; and providing for
18 the collection of tolls and other revenues to pay the cost of
19 construction, maintenance, repair and operation of such projects and
20 to pay such bonds and notes and the interest thereon.

21
22 2. Section 1 of P.L.1948, c.454 (C.27:23-1) is amended to read as
23 follows:

24 1. In order to facilitate vehicular traffic and public transportation
25 service and remove the present handicaps and hazards on the
26 congested highways in the State, and to provide for the construction
27 of modern express highways embodying every known safety device
28 including center divisions, ample shoulder widths, long sight distances,
29 multiple lanes in each direction and grade separations at all
30 intersections with other highways and railroads, the New Jersey
31 Turnpike Authority (hereinafter created) is hereby authorized and
32 empowered to construct, maintain, repair, and operate turnpike

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 projects (as hereinafter defined) at such locations as shall be
2 established by law, and to issue turnpike revenue bonds of the
3 authority, payable solely from tolls, other revenues, and proceeds of
4 such bonds to finance such projects.

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6 3. Section 4 of P.L.1948, c.454 (C.27:23-4.) is amended to read as
7 follows:

8 4. As used in this act, the following words and terms shall have the
9 following meanings, unless the context shall indicate another or
10 different meaning or intent:

11 (a) The word "authority" shall mean the New Jersey Turnpike
12 Authority, created by section 3 of this act, or, if said authority shall be
13 abolished, the board, body or commission succeeding to the principal
14 functions thereof or to whom the powers given by this act to the
15 authority shall be given by law.

16 (b) The word "project" or the words "turnpike project" shall mean
17 any express highway, superhighway or motorway at such locations and
18 between such termini as may hereafter be established by law, and
19 constructed or to be constructed under the provisions of this act by the
20 authority, and shall include, but not be limited to all bridges, tunnels,
21 overpasses, underpasses, interchanges, entrance plazas, approaches,
22 toll houses, service area, service stations, service facilities,
23 communications facilities, and administration, storage and other
24 buildings, directly related to the use of the express highway,
25 superhighway or motorway, intersection highways and bridges and
26 feeder roads which the authority may deem necessary for the operation
27 of such project, together with all property, rights, easements and
28 interests which may be acquired by the authority for the construction
29 or the operation of such project and shall include passenger stations,
30 shelters and terminals, automobile parking facilities, ramps, track
31 connections, signal systems, power systems, information and
32 communication systems, roadbeds, transit lanes or rights of way,
33 equipment storage and servicing facilities, bridges, grade crossings,
34 rail cars, locomotives, monorails, motorbuses and any other
35 equipment, facility or property useful for or related to the provision of
36 public transportation service along any express highway, superhighway
37 or motorway operated by the authority.

38 (c) The word "bonds" or the words "turnpike revenue bonds" shall
39 mean bonds of the authority authorized under the provisions of this
40 act.

41 (d) The word "public highways" shall include all public highways,
42 roads and streets in the State, whether maintained by the State or by
43 any county, city, borough, town, township, village, or other political
44 subdivision.

45 (e) The word "owner" shall include all individuals, copartnerships,
46 associations, private or municipal corporations and all political

1 subdivisions of the State having any title or interest in any property,
2 rights, easements and interests authorized to be acquired by this act.

3

4 4. The title of P.L.1952, c.16 (C.27:12B-1 et seq.) is amended to
5 read as follows:

6 *ANACT* to facilitate vehicular traffic and public transportation service
7 in the State of New Jersey by providing for the acquisition,
8 construction, maintenance, repair and operation of highway projects;
9 creating the New Jersey Highway Authority and defining its powers
10 and duties; authorizing and establishing the location for a highway
11 project; providing for the regulation of traffic on such projects and
12 prescribing proceedings and penalties for violations thereof; providing
13 for issuance of bonds or notes of the authority and the terms and
14 security thereof; and providing for the collection of tolls and other
15 charges to pay the cost of acquisition, construction, maintenance,
16 repair and operation of such projects and to pay such bonds and notes
17 and the interest thereon.

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19 5. Section 2 of P.L.1952, c.16 (C.27:12B-2) is amended to read as
20 follows:

21 2. In order to facilitate vehicular traffic and public transportation
22 service and remove the present handicaps and hazards on the
23 congested highways in the State, and to provide for the construction
24 of modern express highways embodying every known safety device
25 including center divisions, ample shoulder width, long sight distances,
26 multiple lanes in each direction and grade separations at all
27 intersections with other highways and railroads, the New Jersey
28 Highway Authority (hereinafter created) is hereby authorized and
29 empowered to acquire, construct, maintain, improve, repair and
30 operate highway projects (as hereinafter defined) at the locations
31 hereinafter established and at such other locations as shall be
32 established and at such other locations as shall be established by law,
33 and to pay or share in the cost of the construction, reconstruction or
34 improvement of all or any part of any public highway which connects
35 with any project or connects parts of a project or two or more
36 projects, under agreements with respect to such construction,
37 reconstruction or improvement entered into by the authority with the
38 commissioner, who is hereby authorized to enter into and perform
39 such agreements and shall expend any sums received pursuant to such
40 agreements in accordance with the terms thereof.

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42 6. Section 3 of P.L.1952, c.16 (C.27:12B-3) is amended to read as
43 follows:

44 3. As used in this act the following words and terms shall have the
45 following meanings, unless the context shall indicate another or
46 different meaning or intent:

1 (a) "Authority" means the New Jersey Highway Authority, created
2 by section 4 of this act, or, if said authority shall be abolished, the
3 board, body or commission succeeding to the principal functions
4 thereof or to whom the powers given by this act to the authority shall
5 be given by law.

6 (b) "Commissioner" means the [State Highway Commissioner]
7 Commissioner of Transportation.

8 (c) "Department" means the [State Highway Department]
9 Department of Transportation.

10 (d) "Project" or "highway project" means any express highway,
11 superhighway or motorway at such locations and between such termini
12 as herein established or as may hereafter be established by law, and
13 acquired or to be acquired or constructed or to be constructed under
14 the provisions of this act by the authority, over which abutters have no
15 easement or rights of lift, air or direct access by reason of the fact that
16 their properties abut thereon, together with such adjoining park or
17 recreational areas and facilities directly related to the use of the
18 express highway, superhighway or motorway, as the authority, with
19 the concurrence of the [Department of Conservation and Economic
20 Development] Department of Environmental Protection, shall find to
21 be necessary and desirable for the convenience and comfort of users
22 of the highway project and feasible for development pursuant to this
23 act, and shall include but not be limited to all bridges, tunnels,
24 overpasses, underpasses, interchanges, traffic circles, grade
25 separations, entrance plazas, approaches, toll houses, service areas,
26 service stations, service facilities, communications facilities, and
27 administration, storage and other buildings which the authority may
28 deem necessary for the operation of such project, together with all
29 property, rights, easements and interests which may be acquired by the
30 authority for the construction or the operation of such project and
31 shall include passenger stations, shelters and terminals, automobile
32 parking facilities, ramps, track connections, signal systems, power
33 systems, information and communication systems, roadbeds, transit
34 lanes or rights of way, equipment storage and servicing facilities,
35 bridges, grade crossings, rail cars, locomotives, monorails, motorbuses
36 and any other other equipment, facility or property useful for or
37 related to the provision of public transportation service along any
38 express highway, superhighway or motorway operated by the
39 authority.

40 "Project" or "ferry project" also means a ferry service for the
41 transportation of passengers and freight between such termini as are
42 herein established or as may hereafter be established by law, and shall
43 include but shall not be limited to ferries and other craft, bulkheads,
44 docks, piers, wharves, warehouses, ferry terminals and stations,
45 parking areas, service stations, service facilities, communication
46 facilities and administration and other buildings which the authority

1 may deem necessary for the operation of such project, together with
2 all property, rights, easements and interests, including land under
3 water and riparian rights, which may be acquired by the authority for
4 the construction or operation of such project.

5 (e) "Bonds or "revenue bonds" means bonds of the authority
6 authorized under the provisions of this act or any amendment thereof
7 or supplement thereto.

8 (f) "Public highway" means and shall include any public highway,
9 road or street in the State, whether maintained by the State or by any
10 county, city, borough, town, township, village, or other political
11 subdivision.

12 (g) "Feeder road" means any road which in the opinion of the
13 authority is necessary to create or facilitate access to a project.

14 (h) "Owner" means and shall include all individuals, copartnerships,
15 associations, private or municipal corporations and all political
16 subdivisions of the State having any title or interest in any property,
17 rights, easements and interests authorized to be acquired by this act.

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19 7. This act shall take effect immediately.
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22 STATEMENT

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24 This bill amends the laws governing the New Jersey Turnpike
25 Authority and the New Jersey Highway Authority to enable the
26 authorities to provide public transportation service along any express
27 highway, superhighway or motorway they operate. As our roadways
28 become more congested, resulting increased use of motor fuels and
29 higher levels of air pollution, the role of the highway authorities must
30 be expanded to encourage the use of mass transportation services.
31 The bill amends the purposes sections of each authority's enabling
32 statute to empower the authorities, when appropriate, to provide the
33 public transportation services. The bill supplements the definition of
34 "project" the authorities are permitted to operate to include the
35 necessary equipment and services for providing public transportation
36 services including bus, rail, and monorail systems. The amendments
37 not only give the authorities the power to provide public
38 transportation services, but also allow the authorities to provide
39 necessary support for public transportation services that presently use
40 the New Jersey Turnpike and the Garden State Parkway.
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45 Authorizes the New Jersey Turnpike Authority and the New Jersey
46 Highway Authority to provide public transportation services.