

ASSEMBLY, No. 1069

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman WISNIEWSKI

1 AN ACT concerning the New Jersey Transit Corporation and
2 supplementing P.L.1979, c.150 (C.27:25-1 et seq.).

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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. The corporation, prior to instituting new rail passenger service,
8 converting an existing rail line to passenger service or substantially
9 expanding existing passenger service, within a county of the second
10 class, shall cause a study to be conducted of the proposed change in
11 service. The study shall establish, at a minimum, that the change in
12 service is proposed to be implemented on a railroad right-of-way
13 located no less than 200 feet from residential properties, houses of
14 worship, schools or day-care centers, or in the case of railroad lines
15 having, or proposing to have, overhead catenaries, no less than 300
16 feet from such facilities. Additionally, the study shall consider the
17 environmental impact of such service on the community adjacent to the
18 railroad right-of-way, focusing particularly on any dangers posed to
19 pedestrians and motor vehicles using at-grade crossings, the impact of
20 increased noise on the health of community residents and on the
21 structural soundness of adjacent properties, as well as any risks posed
22 by electromagnetic fields caused by overhead catenaries, transformers,
23 power lines associated therewith, and related equipment, where such
24 facilities and equipment are used or are to be used. The findings and
25 recommendations of the study required by this section shall be
26 transmitted to the Governor and the Legislature.

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill requires the New Jersey Transit Corporation to conduct an
34 environmental impact study prior to instituting new rail passenger
35 service, converting an existing rail line to passenger service, or

1 substantially expanding existing passenger service, within a county of
2 the second class. The study is to establish that the change in service
3 is purposed to be implemented on a railroad line located no less than
4 200 feet from residential properties, houses of worship, schools or
5 day-care centers. In the case of railroad lines which have overhead
6 catenaries, or where catenaries are proposed, the study shall establish
7 that the right-of-way is no less 300 feet from such facilities. The study
8 is also to consider the environmental impact of the service on the
9 community adjacent to the right-of-way, focusing particularly on the
10 dangers of at-grade crossings, the impact of noise on the health of
11 community residents and on the structural soundness of adjacent
12 property, and the impact of electromagnetic fields created by overhead
13 catenaries and related facilities.

14 In a densely populated State like New Jersey where railroad
15 rights-of-way may be located in heavily built-up areas, attempts to
16 substantially expand existing railroad service or provide new service
17 may have a detrimental impact on property owners and other residents
18 located near the railroad lines. High speed train service operating at
19 frequent intervals near existing properties may cause excessive noise,
20 pose a danger to persons using at-grade crossings and create risks
21 from electromagnetic fields created by overhead catenaries and related
22 equipment. The provisions of the bill will provide for a study to
23 establish that certain minimum standards are being observed and to
24 consider certain environmental impacts before certain changes in rail
25 service would be permitted.

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30 Requires NJ Transit to do environmental impact study and observe
31 certain standards before instituting new or expanded rail passenger
32 service within county of second class.