

ASSEMBLY, No. 1131

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman MURPHY and Assemblyman DeCROCE

1 AN ACT concerning county roads and amending R.S.27:16-13,  
2 R.S.27:16-14, and R.S.27:26-15.

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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. R.S.27:16-13 is amended to read as follows:

8 27:16-13. If a county road is in danger of being damaged or  
9 destroyed by tidewaters the board of chosen freeholders may by a  
10 [two-thirds] majority vote, acquire by gift, purchase or condemnation,  
11 lands and meadows adjacent to the road and maintain the banks along  
12 such lands and meadows for the protection and preservation of the  
13 road. If an income can be derived from any land so acquired it shall  
14 be paid to the county treasurer. Condemnation proceedings, when  
15 resorted to, shall be brought in accordance with the provisions of  
16 article 2 of this chapter (§27:16-42 et seq.).

17 (cf: R.S.27:16-13)

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19 2. R.S.27:16-14 is amended to read as follows:

20 27:16-14. In lieu of acquiring lands and meadows under the  
21 provisions of section 27:16-13 of this title, the board may, by a  
22 [two-thirds] majority vote, contract with the owner, possessor or  
23 holder of adjacent lands and meadows to maintain the banks and  
24 ditches along, upon and over the adjacent lands or meadows for the  
25 protection of county roads. The amount agreed upon as the county's  
26 share for such maintenance shall be paid from the county funds  
27 appropriated for road maintenance.

28 (cf: R.S.27:16-14)

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30 3. R.S.27:16-15 is amended to read as follows:

31 27:16-15. When a county road is not built and improved to its  
32 authorized or full width and in the judgment of the board of chosen

**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 freeholders it is desirable that it be so built and improved for the  
2 accommodation of public travel, the board may, upon the affirmative  
3 vote of [at least three-fourths] a majority of all its members, so build  
4 and improve it.

5 If a street railway company has its rails laid on the road or any part  
6 thereof, the board may enter into an agreement with the company  
7 whereby the company, in consideration of the work being undertaken,  
8 will bear and pay a portion of the cost thereof. If the road is crossed  
9 by a steam railroad at grade the board may enter into an agreement  
10 with the railroad company owning or operating such steam railroad  
11 and the street railway company using the road, to change the grade of  
12 the road or tracks of the steam railroad and abolish the grade crossing,  
13 in the manner provided by law, and the funds for these purposes shall  
14 be raised by the board in the manner provided by section 27:16-19 of  
15 this title.

16 (cf: R.S.27:16-15)

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18 4. This act shall take effect immediately.

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#### STATEMENT

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23 This bill would authorize a county board of freeholders to take  
24 action on certain maintenance, protection, preservation and widening  
25 matters relating to county roads upon a majority vote of the  
26 freeholders. Current statutes require either a two-thirds or  
27 three-fourths vote for such road improvements.

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32 Amends approval requirements for certain county road matters.