

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1636**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 25, 1996

The Assembly Transportation and Communications Committee reports favorably Assembly Bill No. 1636 with committee amendments.

This amended bill clarifies the existing laws of the State's three toll road authorities - the New Jersey Highway Authority, the New Jersey Turnpike Authority and the South Jersey Transportation Authority - with regard to the liability of the owners of motor vehicles for toll collection violations and the status and use of photo-monitoring and other evidence in order to permit the toll road authorities to expediently implement electronic toll collection technology.

The electronic collection of tolls on highways and bridges is in the process of being implemented in the States of New Jersey and New York by the inauguration of the "E-Z-pass system." This system permits a driver to pass through existing toll barriers without stopping for the purpose of manually depositing currency, coins or tokens. Under the "E-Z pass system" tolls are paid automatically by means of automated electronic identification of a vehicle at a toll booth and the debiting of a vehicle account. The automatic payment of tolls while vehicles are in motion improves traffic flow and reduces delays and queuing.

The bill provides that the toll road authorities may use photo-monitoring systems, including but not limited to, automatic vehicle identification technology, to aid in the collection of tolls and enforcement of toll violations. The amended bill also permits the authorities to continue the use of visual observation and other methods of identifying vehicles to detect violations of the toll collection regulations and provides for the issuance of a notice to the owner of a vehicle so identified by mail and a mechanism to allow an owner to pay the toll (plus a reasonable administrative fee) before the authorities' standard penalty collection procedures are utilized.

In addition, the bill provides that the photo-monitoring system records are for the exclusive use of the authorities in the discharge of their duties under the act in order to protect the privacy of these

records and to prevent unwarranted requests for inspection. The amended bill specifically provides that any information obtained from a photo-monitoring system shall not be discoverable by any person, entity or governmental agency and shall not be admissible in evidence in any civil, criminal or administrative proceeding not directly related to a violation of the toll collection regulations. The bill also specifies that nothing in this act shall be construed as prohibiting or limiting the enforcement of a violation of the motor vehicle and traffic laws as set forth in Title 39.

The committee adopted amendments to provide that a notice of a toll violation issued by an authority must be returned within 15 days of the date of issuance and that the reasonable administrative fee the amended bill authorizes the authorities to collect shall not exceed \$25. The committee amendments also specifically provide that any information obtained from a photo-monitoring system shall not be discoverable by any person, entity or governmental agency and shall not be admissible in evidence in any civil, criminal or administrative proceeding not directly related to a violation of the toll collection regulations. In addition, the committee amendments clarify certain provisions of the bill.