

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2760**

**STATE OF NEW JERSEY**

DATED: DECEMBER 11, 1997

The Assembly Transportation and Communications Committee reports favorably Assembly Bill No. 2760.

This bill establishes an "Accident Review Board" (board) within the New Jersey Department of Transportation (department) for the purpose of determining the department's responsibilities regarding accidents by department employees while operating motor vehicles or equipment of the department, but not accidents involving motor vehicles owned by or leased from the State motor pool. The board is to be comprised of one employee from each division of the department appointed by the commissioner.

The board would be responsible for: 1) reviewing and evaluating reports of each accident involving an employee of the department while operating a motor vehicle or equipment of the department; 2) determining, based on its review, if the accident was preventable or not preventable, and preparing a detailed summary of the factors supporting that determination; 3) requesting, if required, further investigations of an accident by inviting parties involved to participate in a meeting; 4) notifying, in writing, the employee and the employee's immediate supervisor of the board's decision, including a summary of the factors supporting that determination, and recommending disciplinary action, if appropriate; and 5) maintaining files on all accidents, the board's findings, and decisions related to each accident and whether the employee was disciplined as a result of the accident.

If the board determines that an accident was preventable, the affected employee would have five days after receipt of the notification to appeal the board's ruling. The board would have the authority to require employees to report accidents to the appropriate authority within a reasonable period of time.

This bill fulfills a recommendation of the Office of the State Auditor in its audit report (issued on January 15, 1997) of selected programs of the department from July 1, 1994 to March 31, 1996. The report recommended that the department establish alternate procedures providing for the review and investigation of department employee traffic accidents. The Office of the State Auditor made this recommendation after finding, among other things, that the department

abolished its "Accident Review Board" in November 1991 and that accidents were not formally reviewed to ascertain whether the accidents were preventable and if the employee responsible should be subject to disciplinary action.