

[First Reprint]
ASSEMBLY, No. 2796

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Assemblymen MORAN and CONNORS

1 AN ACT concerning motor vehicle speed limits and amending
2 R.S.39:4-98.

3

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.39:4-98 is amended to read as follows:

8 39:4-98. Rates of speed. Subject to the provisions of sections
9 39:4-96 and 39:4-97 of this Title and except in those instances where
10 a lower speed is specified in this chapter, it shall be prima facie lawful
11 for the driver of a vehicle to drive it at a speed not exceeding the
12 following:

13 a. (1) Twenty-five miles an hour, when passing through a school
14 zone during recess, when the presence of children is clearly visible
15 from the roadway, or while children are going to or leaving school,
16 during opening or closing hours;

17 (2) Twenty-five miles an hour in the vicinity of a park or
18 recreational facility when authorized by the Commissioner or by an
19 ordinance or resolution enacted or adopted by a county or
20 municipality, notwithstanding the provisions of subsection a. of
21 R.S.39:4-8;

22 b. (1) Twenty-five miles an hour in any business or residential
23 district;

24 (2) Thirty-five miles an hour in any suburban business or residential
25 district;

26 c. Fifty miles an hour in all other locations.

27 Whenever it shall be determined upon the basis of an engineering
28 and traffic investigation that any speed hereinbefore set forth is greater
29 or less than is reasonable or safe under the conditions found to exist
30 at any intersection or other place or upon any part of a highway, the
31 Commissioner of Transportation, with reference to State highways,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ATC committee amendments adopted November 6, 1997.

1 may by regulation and municipal or county authorities, with reference
2 to highways under their jurisdiction, may by ordinance, in the case of
3 municipal authorities, or by ordinance or resolution, in the case of
4 county authorities, subject to the approval of the Commissioner of
5 Transportation, except as otherwise provided in R.S.39:4-8, designate
6 a reasonable and safe speed limit thereat which, subject to the
7 provisions of R.S.39:4-96 and R.S.39:4-97, shall be prima facie lawful
8 at all times or at such times as may be determined, when appropriate
9 signs giving notice thereof are erected at such intersection, or other
10 place or part of the highway. Appropriate signs giving notice of the
11 speed limits authorized under the provisions of paragraph (1) of
12 subsection b. and subsection c. of this section may be erected if the
13 commissioner or the municipal or county authorities, as the case may
14 be, so determine they are necessary. Appropriate signs giving notice
15 of the speed limits authorized under the provisions of subsection a. and
16 paragraph (2) of subsection b. of this section shall be erected by the
17 commissioner or the municipal or county authorities, as appropriate.

18 The Commissioner of Transportation, with reference to State
19 highways, may by regulation and municipal or county authorities, with
20 reference to highways under their jurisdiction, may, by ordinance or
21 resolution as appropriate, reduce the 35 mile an hour speed limit
22 established in a suburban business or residential district pursuant to
23 ¹[P.L.1993, c.315] paragraph (2) of subsection b. of this section¹ to
24 25 miles an hour, provided that appropriate signs are posted giving
25 notice of the reduced speed limit. Notwithstanding the provisions of
26 this section, R.S.39:4-8 or any other law to the contrary, a county or
27 municipality shall not be required to perform an engineering and traffic
28 investigation or to obtain the approval of the Commissioner of
29 Transportation in order to effect this reduction.

30 The driver of every vehicle shall, consistent with the requirements
31 of this section, drive at an appropriate reduced speed when
32 approaching and crossing an intersection or railway grade crossing,
33 when approaching and going around a curve, when approaching a hill
34 crest, when traveling upon any narrow or winding roadway, and when
35 special hazard exists with respect to pedestrians or other traffic or by
36 reason of weather or highway conditions.

37 The Commissioner of Transportation shall cause the erection and
38 maintenance of signs at such points of entrance to the State as are
39 deemed advisable, setting forth the lawful rates of speed, the wording
40 of which shall be within his discretion.

41 (cf: P.L.1993, c.315, s.2)

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43 2. This act shall take effect immediately.

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- 2
- 3 Amends law regarding motor vehicle speed limits.