

ASSEMBLY, No. 2839

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Assemblymen GARRETT and CARROLL

1 AN ACT concerning high occupancy vehicle lanes and amending and
2 supplementing P.L.1992, c.32.

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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. Section 4 of P.L.1992, c.32 (C.27:26A-4) is amended to read
8 as follows:

9 4. a. To the end that the problems of traffic congestion and its
10 attendant economic, social and environmental costs and effects shall
11 be dealt with in a comprehensive manner, the department shall analyze
12 already existing data related to commutation patterns, including
13 origin-destination data; and shall engage in or analyze comprehensive
14 traffic congestion studies in order to provide for a more complete and
15 detailed picture of the level and sources of congestion on State
16 highways, county and municipal roads, as well as toll bridges and toll
17 roads.

18 b. Based upon this analysis or study, the department shall develop
19 a comprehensive strategy of transportation control measures to deal
20 with congestion and air pollution problems in the State, including but
21 not limited to placing special emphasis on the completion of "missing
22 links" in the State highway system, [use of high occupancy vehicle
23 lanes,] priority treatment of high occupancy vehicles, the adoption of
24 traffic system management, such as improved signage, synchronization
25 of traffic lights, resurfacing of highway pavements, the use of
26 "intelligent vehicle" highways, the maximum possible use of public
27 transportation and other appropriate measures to facilitate the smooth
28 flow of traffic in the State. [No high occupancy vehicle lanes shall be
29 established on a highway unless public transit alternatives are
30 evaluated and marketed for that highway.]

31 (cf: P.L.1992, c.32, s.4)

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33 2. (New Section) Notwithstanding any law, rule or regulation
34 to the contrary, the Commissioner of Transportation shall not restrict

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 the use of certain lanes on any highway under the jurisdiction of the
2 Department of Transportation to high occupancy vehicles.

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4 3. (New section) Nothing in this act shall prevent the New Jersey
5 Highway Authority, the New Jersey Turnpike Authority, or the South
6 Jersey Transportation Authority from requiring the use of high
7 occupancy vehicles to certain lanes on any highway project under their
8 respective jurisdiction.

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10 4. (New section) The Department of Transportation shall, within
11 180 days of the effective date of this act, adopt rules and regulations
12 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
13 (C.52:14B-1 et seq.), as necessary to effectuate the purposes of this
14 act.

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16 5. This act shall take effect immediately.

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STATEMENT

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21 This bill directs the Commissioner of Transportation to abolish the
22 requirement that restricts the use of certain lanes on any highway
23 under the jurisdiction of the Department of Transportation (DOT) to
24 high occupancy vehicles (HOV) and removes the requirement that
25 DOT include the use of HOV lanes in its comprehensive strategy of
26 transportation control measures, as currently required under the "New
27 Jersey Traffic Congestion and Air Pollution Control Act" (P.L.1992,
28 c.32). The bill would not affect any HOV lane project operated under
29 the jurisdiction of the New Jersey Highway Authority, the New Jersey
30 Turnpike Authority, or the South Jersey Transportation Authority.

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35 Requires DOT to abolish high occupancy vehicle lanes on highways
36 under its jurisdiction.