

[First Reprint]
ASSEMBLY, No. 2919

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1997

By Assemblyman WEINGARTEN

1 AN ACT concerning certain railroad rights-of-way and supplementing
2 Title 27 of the Revised Statutes.

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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. a. The Department of Transportation (hereinafter, "the
8 department") ¹[is authorized to undertake] shall authorize¹ the
9 removal of any unused railroad bridge in a right-of-way purchased
10 with funds from the "New Jersey Bridge Rehabilitation and
11 Improvement and Railroad Right-of-way Preservation Bond Act of
12 1989," P.L.1989, c.180, which funds were appropriated by P.L.1992,
13 c.35, when, pursuant to a determination in writing submitted to the
14 department by the governing body of the municipality in which such
15 ¹[a]¹ bridge is located, the existence of such bridge presents a public
16 safety hazard by impeding the flow of traffic on the roadway beneath
17 the bridge due to its elevation and when such bridge is located within
18 a right-of-way in which the integrity of the railroad line was broken
19 prior to the purchase of the right-of-way by the department.

20 b. ¹[Upon written request of such a municipality, the] The¹
21 department shall authorize ¹[the] a¹ municipality ¹in which such bridge
22 is located¹ to undertake the removal of the railroad bridge ¹[, provided
23 that the removal occurs]¹ in accordance with a plan reviewed and
24 approved by the department. The department shall have 30 days, from
25 date of receipt ¹of a written plan for the removal of the railroad
26 bridge¹, to review and approve the removal plan submitted by the
27 municipality or offer an alternative plan for removal by the
28 municipality. In the event the department does not issue an approval
29 of or alternative plan for removal of such ¹[a]¹ railroad bridge within
30 30 days of the date of receipt of the municipality's request, the
31 municipality's submitted plan shall be deemed approved.

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 June 9, 1997.

