

§§2-8
C. 39:4-98.3
To
39:4-98.9

P.L. 1997, CHAPTER 415, *approved January 19, 1998*
Assembly Committee Substitute (*First Reprint*) for
Assembly, No. 731

1 AN ACT concerning the rate of speed on certain highways and
2 amending R.S.39:4-98¹[, P.L.1951, c.264, P.L.1952, c.16 and
3 P.L.1991, c.252] and supplementing chapter 4 of Title 39 of the
4 Revised Statutes¹.

5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8

9 1. R.S.39:4-98 is amended to read as follows:

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

15 a. Twenty-five miles [an] per hour, when passing through a school
16 zone during recess, when the presence of children is clearly visible
17 from the roadway, or while children are going to or leaving school,
18 during opening or closing hours;

19 b. (1) Twenty-five miles [an] per hour in any business or
20 residential district;

21 (2) Thirty-five miles ¹[an] per¹ hour in any suburban business or

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is 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 amendments adopted in accordance with Governor's recommendations January 12, 1998.

1 residential district;

2 c. Fifty miles [an] per hour in all other locations, except as
3 otherwise provided in ¹[subsection d. of this section:

4 d. Sixty-five miles per hour on portions of the State highway
5 system including, but not limited to, interstate highways and highways
6 of similar design and access control] the "Sixty-Five MPH Speed Limit
7 Implementation Act," pursuant to section 2 of P.L. , c. (C.) (now
8 pending before the Legislature as this bill) ¹.

9 Whenever it shall be determined upon the basis of an engineering
10 and traffic investigation that any speed hereinbefore set forth is greater
11 or less than is reasonable or safe under the conditions found to exist
12 at any intersection or other place or upon any part of a highway, the
13 Commissioner of Transportation, with reference to State highways,
14 may by regulation and municipal or county authorities, with reference
15 to highways under their jurisdiction, may by ordinance, in the case of
16 municipal authorities, or by ordinance or resolution, in the case of
17 county authorities, subject to the approval of the Commissioner of
18 Transportation, except as otherwise provided in R.S.39:4-8, designate
19 a reasonable and safe speed limit thereat which, subject to the
20 provisions of R.S.39:4-96 and R.S.39:4-97, shall be prima facie lawful
21 at all times or at such times as may be determined, when appropriate
22 signs giving notice thereof are erected at such intersection, or other
23 place or part of the highway. Appropriate signs giving notice of the
24 speed limits authorized under the provisions of paragraph (1) of
25 subsection b. and subsection c. of this section may be erected if the
26 commissioner or the municipal or county authorities, as the case may
27 be, so determine they are necessary. Appropriate signs giving notice
28 of the speed limits authorized under the provisions of subsection a. and
29 paragraph (2) of subsection b. of this section shall be erected by the
30 commissioner or the municipal or county authorities, as appropriate.

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

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

42 (cf: 1993, c.315, s.2)

43

44 ¹[2. Section 3 of P.L.1951 c.264 (C.27:23-27) is amended to read
45 as follows:

46 3. A person operating a vehicle on any such turnpike project shall

1 operate it at a careful and prudent speed, having due regard to the
2 rights and safety of others and to the traffic, surface and width of the
3 highway, and any other conditions then existing; and no person shall
4 operate a vehicle on any such turnpike project at such a speed as to
5 endanger life, limb or property; provided, however, that it shall be
6 prima facie lawful for a driver of a vehicle to operate it at a speed not
7 exceeding a speed limit which is designated by the Authority as a
8 reasonable and safe speed limit, when appropriate signs giving notice
9 of such speed limit are erected at the roadside or otherwise posted for
10 the information of operators of vehicles.

11 No person shall operate a vehicle on any such turnpike project at
12 such a slow speed as to impede or block the normal and reasonable
13 movement of traffic except when reduced speed is necessary for safe
14 operation thereof.

15 No person shall operate a vehicle on any such turnpike project in
16 violation of any speed limit designated by regulation adopted by the
17 Authority as hereinafter provided.

18 Notwithstanding any speed limit designated by the Authority to the
19 contrary, it shall be prima facie lawful for a driver to operate a vehicle
20 at a rate of speed not exceeding 65 miles per hour unless the Authority
21 determines, based upon an engineering and traffic investigation, that
22 this speed is greater or less than is reasonable or safe under the
23 conditions found to exist on portions of the turnpike project.

24 (cf: P.L.1951, c.264, s.3)]¹

25

26 ¹[3. Section 18 of P.L.1952, c.16 (C.27:12B-18) is amended to
27 read as follows:

28 18. (a) No vehicle shall be permitted to make use of any project
29 except upon the payment of such tolls as may from time to time be
30 prescribed by the Authority.

31 It is hereby declared to be unlawful for any person to refuse to pay,
32 or to evade or to attempt to evade the payment of such tolls.

33 (b) No vehicle shall be operated on any project carelessly or
34 recklessly, or in disregard of the rights or safety of others, or without
35 due caution or prudence, or in a manner so as to endanger
36 unreasonably or to be likely to endanger unreasonably persons or
37 property, or while the operator thereof is under the influence of
38 intoxicating liquors or any narcotic or habit-forming drug, nor shall
39 any vehicle be so constructed, equipped, lacking in equipment, loaded
40 or operated in such a condition of disrepair as to endanger
41 unreasonably or to be likely to endanger unreasonably persons or
42 property.

43 (c) A person operating a vehicle on any project shall operate it at
44 a careful and prudent speed, having due regard to the rights and safety
45 of others and to the traffic, surface and width of the highway, and any
46 other conditions then existing; and no person shall operate a vehicle on

1 any project at such a speed as to endanger life, limb or property;
2 provided, however, that it shall be prima facie lawful for a driver of a
3 vehicle to operate it at a speed not exceeding a speed limit which is
4 designated by the Authority as a reasonable and safe speed limit, when
5 appropriate signs giving notice of such speed limit are erected at the
6 roadside or otherwise posted for the information of operators of
7 vehicles. Notwithstanding any speed limit designated by the Authority
8 to the contrary, it shall be prima facie lawful for a driver to operate a
9 vehicle at a rate of speed not exceeding 65 miles per hour unless the
10 Authority determines, based upon an engineering and traffic
11 investigation, that this rate of speed is greater or less than is
12 reasonable or safe under the conditions found to exist on portions of
13 the project.

14 (d) No person shall operate a vehicle on any project at such a slow
15 speed as to impede or block the normal and reasonable movement of
16 traffic except when reduced speed is necessary for safe operation
17 thereof.

18 (e) No person shall operate a vehicle on any project in violation
19 of any speed limit designated by regulation adopted by the Authority
20 as hereinafter provided.

21 (f) All persons operating vehicles upon any project must at all
22 times comply with any lawful order, signal or direction by voice or
23 hand of any police officer engaged in the direction of traffic upon such
24 project. When traffic on a project is controlled by traffic lights, signs
25 or by mechanical or electrical signals, such lights, signs and signals
26 shall be obeyed unless a police officer directs otherwise.

27 (g) All persons operating vehicles upon any project, or seeking to
28 do so, must at all times comply with regulations, not inconsistent with
29 the other sections of this act, adopted by the Authority concerning
30 types, weights and sizes of vehicles permitted to use such project, and
31 with regulations adopted by the Authority for or prohibiting the
32 parking of vehicles, concerning the making of turns and the use of
33 particular traffic lanes, together with any and all other regulations
34 adopted by the Authority to control traffic and prohibit acts hazardous
35 in their nature or tending to impede or block the normal and
36 reasonable flow of traffic upon such project; provided, however, that
37 prior to the adoption of any regulation for the control of traffic on any
38 such project, including the designation of any speed limits, the
39 Authority shall investigate and consider the need for and desirability
40 of such regulation for the safety of persons and property, including the
41 Authority's property, and the contribution which any such regulation
42 would make toward the efficient and safe handling of traffic and use
43 of such project, and shall determine that such regulation is necessary
44 or desirable to accomplish such purposes or one or some of them, and
45 that upon or prior to the effective date of any such regulation and
46 during its continuance, notice thereof shall be given to the drivers of

1 vehicles by appropriate signs erected at the roadside or otherwise
2 posted. The Authority is hereby authorized and empowered to make,
3 adopt and promulgate regulations referred to in this section in
4 accordance with the provisions hereof. Regulations adopted by the
5 Authority pursuant to the provisions of this section shall insofar as
6 practicable, having due regard to the features of the project and the
7 characteristics of traffic thereon, be consistent with the provisions of
8 Title 39 of the Revised Statutes applicable to similar subjects. The
9 Authority shall have power to amend, supplement or repeal any
10 regulation adopted by it under the provisions of this section. No
11 regulation and no amendment or supplement thereto or repealer
12 thereof adopted by the Authority shall take effect until it is filed with
13 the Secretary of State, by the filing of a copy thereof certified by the
14 secretary of the Authority.

15 (h) The operator of any vehicle upon a project involved in an
16 accident resulting in injury or death to any person or damage to any
17 property shall immediately stop such vehicle at the scene of the
18 accident, render such assistance as may be needed, and give his name,
19 address, and operator's license and registration number to the person
20 injured and to any officer or witness of the injury and shall make a
21 report of such accident in accordance with law.

22 (i) No person shall transport in or upon any project, any dynamite,
23 nitroglycerin, black powder, fireworks, blasting caps or other
24 explosives, gasoline, alcohol, ether, liquid shellac, kerosene,
25 turpentine, formaldehyde or other inflammable or combustible liquids,
26 ammonium nitrate, sodium chlorate, wet hemp, powdered metallic
27 magnesium, nitro-cellulose film, peroxides or other readily
28 inflammable solids or oxidizing materials, hydrochloric acid, sulfuric
29 acid, or other corrosive liquids, prussic acid, phosgene, arsenic,
30 carbolic acid, potassium cyanide, tear gas, lewisite or any other
31 poisonous substances, liquids or gases, or any compressed gas, or any
32 radioactive article, substance or material, at such time or place or in
33 such manner or condition as to endanger unreasonably or as to be
34 likely to endanger unreasonably persons or property.

35 (j) If the violation of any provision of this section or the violation
36 of any regulation adopted by the Authority under the provisions of this
37 section, would have been a violation of law or ordinance if committed
38 on any public road, street or highway in the municipality in which such
39 violation occurred, it shall be tried and punished in the same manner
40 as if it had been committed in such municipality.

41 (k) Notwithstanding the provisions of paragraph (j) of this section,
42 if the violation within the State of the provisions of paragraph (i) of
43 this section shall result in injury or death to a person or persons or
44 damage to property in excess of the value of five thousand dollars
45 (\$5,000.00), such violation shall constitute a high misdemeanor.

46 (l) Except as provided in paragraph (j) or (k) of this section, any

1 violation of any of the provisions of this section, including but not
2 limited to those regarding the payment of tolls, and any violation of
3 any regulation adopted by the Authority under the provisions of this
4 section shall be punishable by a fine not exceeding two hundred dollars
5 (\$200.00) or by imprisonment not exceeding thirty days or by both
6 such fine and imprisonment. Such a violation shall be tried in a
7 summary way and shall be within the jurisdiction of and may be
8 brought in the Superior Court or municipal court where the offense
9 was committed. The rules of the Supreme Court shall govern the
10 practice and procedure in such proceedings. Proceedings under this
11 section may be instituted on any day of the week, and the institution
12 of the proceedings on a Sunday or a holiday shall be no bar to the
13 successful prosecution thereof. Any process served on a Sunday or a
14 holiday shall be as valid as if served on any other day of the week.
15 When imposing any penalty under the provisions of this paragraph the
16 court having jurisdiction shall be guided by the appropriate provisions
17 of any statute fixing uniform penalties for violation of provisions of the
18 motor vehicle and traffic laws contained in Title 39 of the Revised
19 Statutes.

20 (m) In any prosecution for violating a regulation of the Authority
21 adopted pursuant to the provisions of this section copies of any such
22 regulation when authenticated under the seal of the Authority by its
23 secretary or assistant secretary shall be evidence in like manner and
24 equal effect as the original.

25 (n) No resolution or ordinance heretofore or hereafter adopted by
26 the governing body of any county or municipality for the control and
27 regulation of traffic shall be applicable to vehicles while upon any
28 project operated by the Authority.

29 (o) In addition to any punishment or penalty provided by other
30 paragraphs of this section, every registration certificate and every
31 license certificate to drive motor vehicles may be suspended or
32 revoked and any person may be prohibited from obtaining a driver's
33 license or a registration certificate and the reciprocity privileges of a
34 nonresident may be suspended or revoked by the Director of the
35 Division of Motor Vehicles for a violation of any of the provisions of
36 this section, after due notice in writing of such proposed suspension,
37 revocation or prohibition and the ground thereof, and otherwise in
38 accordance with the powers, practice and procedure established by
39 those provisions of Title 39 of the Revised Statutes applicable to such
40 suspension, revocation or prohibition.

41 (p) Except as otherwise provided by this section or by any
42 regulation of the Authority made in accordance with the provisions
43 hereof, the requirements of Title 39 of the Revised Statutes applicable
44 to persons using, driving or operating vehicles on the public highways
45 of this State and to vehicles so used, driven or operated shall be
46 applicable to persons using, driving or operating vehicles on any

1 project and to vehicles so used, driven or operated.
2 (cf: P.L.1991, c.91, s.303)]¹

3
4 ¹[4. Section 21 of P.L.1991, c.252, (C.27:25A-21) is amended to
5 read as follows:

6 21. a. Except as otherwise provided in subsection a. of section 19
7 of this act, no vehicle shall be permitted to make use of any
8 expressway project except upon the payment of the tolls as may from
9 time to time be prescribed by the authority. It shall be unlawful for
10 any person to refuse to pay, or to evade or to attempt to evade the
11 payment of the tolls.

12 b. No vehicle shall be operated on any project carelessly or
13 recklessly, or in disregard of the rights or safety of others, or without
14 due caution or prudence, or in a manner so as to endanger
15 unreasonably or to be likely to endanger unreasonably persons or
16 property, while the operator thereof is under the influence of
17 intoxicating liquors or any narcotic or habit-forming drug, nor shall
18 any vehicle be so constructed, equipped, lacking in equipment, loaded
19 or operated in such a condition of disrepair as to endanger
20 unreasonably or to be likely to endanger unreasonably persons or
21 property.

22 c. A person operating a vehicle on any project shall operate at a
23 careful and prudent speed, having due regard to the rights and safety
24 of others and to the traffic, surface and width of the highway, and any
25 other conditions then existing; and no person shall operate a vehicle on
26 any project at a speed as to endanger life, limb or property; except that
27 it shall be prima facie lawful for a driver of a vehicle to operate it at a
28 speed not exceeding a speed limit which is designated by the authority
29 as a reasonable and safe speed limit, when appropriate signs giving
30 notice of that speed limit are erected at the roadside or otherwise
31 posted for the information of operators of vehicles. Notwithstanding
32 any speed limit designated by the authority to the contrary, it shall be
33 prima facie lawful for a driver to operate at a rate of speed not
34 exceeding 65 miles per hour unless the authority determines, based
35 upon an engineering and traffic investigation, that this speed is greater
36 or less than is reasonable or safe under the conditions found to exist
37 on portions of the project.

38 d. No person shall operate a vehicle on any project at a slow speed
39 as to impede or block the normal and reasonable movement of traffic
40 except when reduced speed is necessary for safe operation thereof.

41 e. No person shall operate a vehicle on any project in violation of
42 any speed limit designated by regulation adopted by the authority.

43 f. All persons operating vehicles upon any project must at all times
44 comply with any lawful order, signal or direction by voice or hand of
45 any police officer engaged in the direction of traffic upon such project.
46 When traffic on a project is controlled by traffic lights, signs or by

1 mechanical or electrical signals, those lights, signs and signals shall be
2 obeyed unless a police officer directs otherwise.

3 g. All persons operating vehicles upon any project, or seeking to
4 do so, must at all times comply with regulations, not inconsistent with
5 the other sections of this act, adopted by the authority concerning
6 types, weights and sizes of vehicles permitted to use the project, and
7 with regulations adopted by the authority for or prohibiting the
8 parking of vehicles, concerning the making of turns and the use of
9 particular traffic lanes, together with any and all other regulations
10 adopted by the authority to control traffic and prohibit acts hazardous
11 in their nature or tending to impede or block the normal and
12 reasonable flow of traffic upon the project; except that prior to the
13 adoption of any regulation for the control of traffic on any project,
14 including the designation of any speed limits, the authority shall
15 investigate and consider the need for and desirability of the regulation
16 for the safety of persons and property, including the authority's
17 property, and the contribution which that regulation would make
18 toward the efficient and safe handling of traffic and use of the project,
19 and shall determine that the regulation is necessary or desirable to
20 accomplish the purposes or one or some of them, and that upon or
21 prior to the effective date of the regulation and during its continuance,
22 notice thereof shall be given to the drivers of vehicles by appropriate
23 signs erected at the roadside or otherwise posted. The authority may
24 adopt regulations referred to in this section in accordance with the
25 provisions hereof and in accordance with the provisions of the
26 "Administrative Procedure Act." Regulations adopted by the authority
27 pursuant to the provisions of this section shall insofar as practicable,
28 having due regard to the features of the project and the characteristics
29 of traffic thereon and except as to maximum or minimum speed limits,
30 be consistent with the provisions of Title 39 of the Revised Statutes
31 applicable to similar subjects. The authority shall have power to
32 amend, supplement or repeal any regulation adopted by it under the
33 provisions of this section. No regulation and no amendment or
34 supplement thereto or repealer thereof adopted by the authority shall
35 take effect until it is filed with the Office of Administrative Law, by
36 the filing of a copy thereof certified by the secretary of the authority.

37 h. The operator of any vehicle upon a project involved in an
38 incident resulting in injury or death to any person or damage to any
39 property shall immediately stop the vehicle at the scene of the incident,
40 render assistance as may be needed, and give his name, address, and
41 operator's license and motor vehicle registration number to the person
42 injured and to any officer or witness of the injury and shall make a
43 report of the incident in accordance with law.

44 i. No person shall transport in or upon any expressway project,
45 any dynamite, nitroglycerin, black powder, fireworks, blasting caps or
46 other explosives, gasoline, alcohol, ether, liquid shellac, kerosene,

1 turpentine, formaldehyde or other inflammable or combustible liquids,
2 ammonium nitrate, sodium chlorate, wet hemp, powdered metallic
3 magnesium, nitro-cellulose film, peroxides or other readily
4 inflammable solids or oxidizing materials, hydrochloric acid, sulfuric
5 acid, or other corrosive liquids, prussic acid, phosgene, arsenic,
6 carbolic acid, potassium cyanide, tear gas, lewisite or any other
7 poisonous substances, liquids or gases, or any compressed gas, or any
8 radioactive article, substance or material, at a time or place or in a
9 manner or condition as to endanger unreasonably or as to be likely to
10 endanger unreasonably persons or property.

11 j. If the violation of any provision of this section or the violation
12 of any regulation adopted by the authority under the provisions of this
13 section would have been a violation of law or ordinance if committed
14 on any public road, street or highway in the municipality in which the
15 violation occurred, it shall be tried and punished in the same manner
16 as if it had been committed in that municipality.

17 k. Notwithstanding the provisions of subsection j. of this section,
18 if the violation of the provisions of subsection i. of this section shall
19 result in injury or death to a person or persons or damage to property
20 in excess of the value of \$5,000, that violation shall constitute a crime
21 of the third degree.

22 l. Except as provided in subsection j. or k. of this section, any
23 violation of any of the provisions of this section, including but not
24 limited to those regarding the payment of tolls, and any violation of
25 any regulation adopted by the authority under the provisions of this
26 section shall be punishable by a fine not exceeding \$500 or by
27 imprisonment not exceeding 30 days or by both. A violation shall be
28 tried in a summary way and shall be within the jurisdiction of and may
29 be brought in the Special Civil Part of the Law Division of the
30 Superior Court or any municipal court in the county where the offense
31 was committed. Proceedings under this section may be instituted on
32 any day of the week, and the institution of the proceedings on a
33 Sunday or a holiday shall be no bar to the successful prosecution
34 thereof. Any process served on a Sunday, or a holiday shall be as
35 valid as if served on any other day of the week. When imposing any
36 penalty under the provisions of this subsection the court having
37 jurisdiction shall be guided by the appropriate provisions of any statute
38 fixing uniform penalties for violation of provisions of the motor
39 vehicle and traffic laws contained in Title 39 of the Revised Statutes.

40 m. In any prosecution for violating a regulation of the authority
41 adopted pursuant to the provisions of this section, copies of that
42 regulation when authenticated under the seal of the authority by its
43 secretary or assistant secretary shall be evidence in like manner and
44 equal effect as the original.

45 n. No resolution or ordinance adopted by the governing body of
46 any county or municipality for the control and regulation of traffic

1 shall be applicable to vehicles while upon any expressway project
2 operated by the authority.

3 o. In addition to any punishment or penalty provided by other
4 subsections of this section, every registration certificate and every
5 license certificate to drive motor vehicles may be suspended or
6 revoked and any person may be prohibited from obtaining a driver's
7 license or a registration certificate and the reciprocity privileges of a
8 nonresident may be suspended or revoked by the Director of the
9 Division of Motor Vehicles for a violation of any of the provisions of
10 this section, after due notice in writing of the proposed suspension,
11 revocation or prohibition and the ground thereof, all otherwise in
12 accordance with the powers, practice and procedure established by the
13 provisions of Title 39 of the Revised Statutes applicable to the
14 suspension, revocation or prohibition.

15 p. Except as otherwise provided by this section or by any
16 regulation of the authority adopted in accordance with the provisions
17 of this section, the requirements of Title 39 of the Revised Statutes
18 applicable to persons using, driving or operating vehicles on the public
19 highways of this State and to vehicles so used, driven or operated shall
20 be applicable to persons using, driving or operating vehicles on any
21 expressway project and to vehicles so used, driven or operated.

22 (cf: P.L.1991, c.252, s.21)]¹

23

24 ^{12.} (New section) This act may be known and shall be cited as the
25 "Sixty-Five MPH Speed Limit Implementation Act."¹

26

27 ^{13.} (New section) As used in this act:

28 "Authorities" means the New Jersey Highway Authority, the New
29 Jersey Turnpike Authority and the South Jersey Transportation
30 Authority.

31 "Commissioner" means the Commissioner of Transportation.

32 "Eligible public highways" means public highways as defined in
33 section 3 of P.L. 1984, c. 73 (C.27:1B-3) of which portions have been
34 determined by the commissioner to be appropriate for a 65 miles per
35 hour speed limit based on such criteria as determined by the
36 commissioner. Public highways under the jurisdiction of counties and
37 municipalities shall not be eligible public highways.¹

38

39 ^{14.} (New section) a. Within four months following the effective
40 date of this act, the commissioner, in consultation with the Attorney
41 General and the authorities, shall establish by written order speed
42 limits of 65 miles per hour on approximately 400 miles of eligible
43 public highways. The commissioner, pursuant to section 6 of this act,
44 may increase or decrease the number of miles of eligible public
45 highways on which a 65 miles per hour speed limit has been
46 established.

1 b. An order to be issued pursuant to subsection a. of this section
2 shall cite the eligible public highways to which it is to be applicable
3 and contain a description in plain language of the order's contents, the
4 effective date of the order and any other information the commissioner
5 deems necessary.

6 c. The commissioner shall cause a general public notice of the
7 proposed order, including a summary of the provisions of the proposed
8 order, to be published in a newspaper or newspapers having general
9 circulation in the municipality or municipalities affected by the order.
10 The notice shall include a telephone number or address which a
11 member of the public may use to receive a copy of the complete text
12 of the proposed order and shall provide for a 30-day period from the
13 date of publication for public comment. The order shall be final on the
14 31st day after publication of the notice or on a later date if the
15 commissioner so determines. Nothing in this subsection shall be
16 construed as prohibiting the commissioner from extending the
17 comment period or from modifying or withdrawing the proposed order
18 as a result of the review of public comment.

19 d. A final order shall be effective and enforceable upon compliance
20 with the requirement for the posting of signs providing notice of the
21 speed limit, as provided under the applicable provisions of R.S.39:4-98
22 and R.S.39:4-198.

23 e. Any official traffic control device established pursuant to this
24 section shall conform to the "Manual on Uniform Traffic Control
25 Devices."

26 f. Any order issued pursuant to this section shall be binding and
27 enforceable under the provisions of Title 39 of the Revised Statutes
28 and all other applicable laws, in any court of competent jurisdiction,
29 until superseded by order of the commissioner pursuant to this act.¹
30

31 ¹5. (New section) a. The fine for a motor vehicle offense embodied
32 in the following sections of statutory law, when committed in an area
33 which has been designated as having a speed limit of 65 miles per
34 hour, shall be double the amount specified by law:

35 R.S.39:4-52;

36 R.S.39:4-57;

37 R.S. 39:4-80;

38 R.S. 39:4-81;

39 R.S. 39:4-84;

40 R.S. 39:4-85;

41 R.S. 39:4-86;

42 R.S. 39:4-88;

43 R.S. 39:4-89;

44 R.S. 39:4-90;

45 R.S. 39:4-96;

46 R.S. 39:4-97;

1 R.S. 39:4-98, when guilty of driving at a speed that is 10 miles per
2 hour or more over the established speed limit;
3 R.S. 39:4-126;
4 R.S. 39:4-127;
5 R.S. 39:4-129;
6 R.S. 39:4-144;
7 P.L. 1955, c.217 (C.39:5C-1);
8 Section 41 of P.L. 1951, c.23 (C.39:4-82.1);
9 Section 51 of P.L. 1951, c.23 (C.39:4-90.1);
10 Section 5 of P.L. 1951, c.264 (C.27:23-29);
11 Section 18 of P.L. 1952, c.16 (C.27:12B-18); and
12 Section 21 of P.L. 1991, c.252 (C.27:25A-21).

13 b. (1) Signs designed in compliance with the specifications of the
14 Department of Transportation or, if appropriate, the authority having
15 jurisdiction over the appropriate highway, shall be appropriately
16 placed, by order of the commissioner or the affected authority, as the
17 case may be, to notify drivers approaching areas designated as having
18 a speed limit of 65 miles per hour that the fines are doubled for motor
19 vehicle offenses in those areas.

20 (2) In addition, all traffic control signs and devices erected or
21 displayed by the State Department of Transportation or an authority
22 within an area designated as having a speed limit of 65 miles per hour
23 shall conform to the uniform system specified in the most current
24 "Manual on Uniform Traffic Control Devices for Streets and
25 Highways," prepared by the Federal Highway Administration in the
26 United States Department of Transportation.

27 c. It shall not be a defense to the imposition of the fines authorized
28 under the provisions of this act that a sign notifying drivers that fines
29 are doubled was not posted, improperly posted, wrongfully removed
30 or stolen, or that signs or devices were not placed in compliance with
31 the most current "Manual on Uniform Traffic Control Devices for
32 Streets and Highways."

33 d. The Director of Motor Vehicles in the Department of
34 Transportation shall include information concerning the penalties
35 imposed pursuant to this section in any subsequent revision of the New
36 Jersey Driver Manual and the New Jersey Motorist Guide.¹

37
38 ¹6. (New section) a. During the first 18 months following the
39 establishment of 65 miles per hour speed limits on eligible public
40 highways pursuant to section 4 of this act, the commissioner, in
41 consultation with the Attorney General and the authorities, shall
42 conduct a study to determine the overall impact of this act. The study
43 shall consider public safety, environmental and cost issues, including,
44 but not limited to speed, accident rates, fatalities, enforcement, air
45 quality and such other issues as the commissioner deems appropriate
46 to evaluate fully the effect of the 65 miles per hour speed limit on the

1 State.

2 b. A report of the study's findings and recommendations, including
3 a recommendation as to whether the number of miles of eligible public
4 highways should increase, decrease or remain the same, shall be
5 submitted to the Governor, President of the Senate and Speaker of the
6 General Assembly no later than 21 months after the establishment of
7 65 miles per hour speed limits on eligible public highways pursuant to
8 section 4 of this act.

9 c. The commissioner shall implement the recommendations
10 contained in the report 60 days following the report's submission to
11 the Governor and Legislature unless the recommendations, either all
12 or in part, are disapproved each by the Senate and the General
13 Assembly by passage of a concurrent resolution stating, in substance,
14 that the Legislature does not favor the recommendations. If the
15 recommendations are disapproved in part by concurrent resolution, the
16 commissioner shall implement those recommendations that are not
17 disapproved.¹

18

19 ^{17.} (New Section) a. Notwithstanding any other provision of law
20 to the contrary, the commissioner is authorized to set or change by
21 emergency order, for periods of up to 60 days, the speed limit on any
22 public highway based on emergent conditions, such as construction
23 work, dangerous conditions, extreme congestion or traffic problems,
24 imminent peril, or imminent risk to motorists or to the public safety.

25 b. An emergency order issued pursuant to this section shall cite
26 the portions of public highway to which it is to be applicable, a
27 description in plain language of what the order requires, the effective
28 date of the order, and any other information the commissioner deems
29 necessary.

30 c. An emergency order issued pursuant to this section shall be final
31 upon the signature of the commissioner, or on a later date if the
32 commissioner so determines, and shall be effective and enforceable
33 upon compliance with the requirement for the posting of signs
34 providing notice of the speed limit, as provided under the applicable
35 provisions of R.S.39:4-98 and R.S.39:4-198.

36 d. An emergency order issued pursuant to this section may, upon
37 its expiration date, be renewed by the commissioner for additional 60
38 day periods, until the emergent condition necessitating the emergency
39 order is mitigated.

40 e. Any official traffic control device established pursuant to this
41 section shall conform to the "Manual on Uniform Traffic Control
42 Devices."¹

43

44 ¹[5.] 8.¹ This act shall take effect ¹[of the first day of the second
45 month following enactment] immediately¹.

46

1

2

3 Establishes 65 mph speed limit for portions of State highway system

4 and State toll roads.