

SENATE, No. 325

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators LITTELL and KYRILLOS

1 AN ACT concerning employer trip reductions and amending P.L.1992,  
2 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 7 of P.L.1992, c.32 (C.27:26A-7) is amended to read as  
8 follows:

9 7. The following are the duties and responsibilities of various  
10 public and private entities in relation to the Travel Demand  
11 Management Program, in addition to the duties and responsibilities  
12 otherwise provided for these entities in this amendatory and  
13 supplementary act:

14 a. The Department of Transportation shall serve as the primary  
15 implementer of this program and to this end shall ensure that the  
16 department's resources are sufficient to meet the demands of the  
17 program. The department shall approve transportation management  
18 associations, or other persons or entities who would serve as primary  
19 resources to employers in carrying out their responsibilities under this  
20 program. In the case of State departments and agencies the  
21 department may serve as the primary resource, assisted by those  
22 departments and agencies of State government whose assistance the  
23 department shall deem appropriate.

24 b. Both the Department of Environmental Protection and the  
25 Department of Transportation shall coordinate their policies relating  
26 to the State Implementation Plan and any revisions thereto required  
27 under the Clean Air Act. The Department of Transportation shall  
28 obtain the approval of the federal Environmental Protection Agency,  
29 through the Department of Environmental Protection, on all aspects  
30 of the Travel Demand Management Program to avoid potential  
31 conflicts with the Clean Air Act and to avoid the imposition of  
32 sanctions.

**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 c. The Commissioner of Labor, upon request of the Commissioner  
2 of Transportation, shall supply such information and make such  
3 mailings as are necessary to assist the Department of Transportation  
4 to carry out its responsibilities [under this amendatory and  
5 supplementary act] pursuant to P.L.1992, c.32 (C.27:6A-1 et seq.) and  
6 may make any stipulations as to confidentiality of this information as  
7 the Commissioner of Labor deems advisable.

8 d. The New Jersey Transit Corporation, in consultation with the  
9 Department of Transportation, shall implement policies to make  
10 available, where feasible, public transportation services, programs and  
11 activities which support public transportation services, technical  
12 assistance, or any other activity authorized by the "New Jersey Public  
13 Transportation Act of 1979," P.L.1979, c.150 (C.27:25-1 et seq.) or  
14 approved by the Board of Directors of the New Jersey Transit  
15 Corporation.

16 e. If a county or municipality has adopted a travel demand  
17 management ordinance or similar measure prior to the effective date  
18 of this amendatory and supplementary act, which is certified by the  
19 department as being in substantial compliance with [this amendatory  
20 and supplementary act] P.L.1992, c.32 (C.27:6A-1 et seq.), an  
21 affected employer meeting the requirements of the ordinance or similar  
22 measure shall be eligible to apply for exemption from the requirements  
23 of [this amendatory and supplementary act] P.L.1992, c.32  
24 (C.27:6A-1 et seq.), in accordance with procedures provided for by  
25 regulation.

26 f. Transportation management associations, or other persons or  
27 entities approved by the department are to serve as primary resources  
28 to employers at the employer's request, to assist the employers in  
29 carrying out their responsibilities under the program. They also shall  
30 be responsible for coordinating any assistance needed from the State,  
31 county or municipal government or from the New Jersey Transit  
32 Corporation.

33 g. Affected employers shall carry out in good faith the compliance  
34 plan submitted to and approved by the department. They shall, in  
35 addition, appoint a Transportation Coordinator at each work location  
36 employing 100 or more employees, who shall make efforts to inform  
37 employees of the travel demand management strategies available to  
38 them and to offer them incentives for the use of these strategies. The  
39 employer may enter into a contract or agreement with a transportation  
40 management association or other approved person or entity to assist  
41 in the development and preparation of a plan but the responsibility of  
42 submitting and implementing the plan shall be that of the employer.  
43 Employers, as well as employees, are encouraged, wherever possible,  
44 to utilize [alternative fuel] low emission vehicles in order to reduce air  
45 pollution levels in this State, and that utilization shall receive  
46 appropriate recognition in the regulations adopted by the department

1 pursuant to [this amendatory and supplementary act] P.L.1992, c.32  
2 (C.27:6A-1 et seq.). The Department of Environmental Protection  
3 shall also determine, in consultation with the United States  
4 Environmental Protection Agency and the Department of  
5 Transportation, whether the use of [alternative fuel] low emission  
6 vehicles may be considered as offsetting any portion of the (APO) rate  
7 required by this amendatory and supplementary act. As used in this  
8 subsection,["alternative fuel] "low emission vehicle" means a vehicle  
9 fueled or propelled by energy sources which shall include, but not be  
10 limited to, electricity, natural gas, and propane , or a vehicle equipped  
11 with an exhaust system or fuel intake system that has been determined  
12 to meet or exceed the following standards:

13 (1) 0.41 grams per mile of hydrocarbons;

14 (2) 3.4 grams per mile of carbon monoxide; and

15 (3) 0.1 grams per mile of oxides of nitrogen.

16 (cf: P.L.1992, c.32, s.7)

17 2. This act shall take effect immediately.

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#### 20 STATEMENT

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22 This bill would require the Department of Transportation to  
23 recognize, in its regulations, the efforts of employers and employees  
24 to utilize vehicles equipped with an exhaust system or fuel intake  
25 system that, at a minimum, meet certain standards for hydrocarbon,  
26 carbon monoxide, and nitrogen oxide emissions. The current statute  
27 only authorizes alternative fuel vehicles, which are defined as those  
28 vehicles fueled or propelled by, among other energy sources,  
29 electricity, natural gas and propane, to be recognized by the DOT  
30 regulations as efforts at air pollution reduction. The goal of the "New  
31 Jersey Traffic Congestion and Air Pollution Control Act" (which this  
32 bill would amend) is to comply with mandates of the federal Clean Air  
33 Act, and thereby reduce air pollution in New Jersey. This bill  
34 facilitates attainment of that goal by requiring the DOT to consider  
35 vehicles which emit low amounts of air pollutants, along with vehicles  
36 which use alternative fuels, in its regulations concerning the evaluation  
37 of employer trip reduction efforts.

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42 Requires DOT to consider low emission vehicles in assessment of  
43 employer trip reduction programs.