

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 622

STATE OF NEW JERSEY

DATED: DECEMBER 16, 1996

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 622 (1R).

Senate Bill No. 622 (1R) amends R.S.39:4-60 to permit the solicitation of contributions from motorists by members of certain charities. The organizations covered by the bill are those identified as charitable organizations under the provisions of section 3 of P.L.1994, c.16 (C.45:17A-20) and include: (1) organizations which are determined to be tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986 and (2) organizations established to any benevolent, philanthropic, humane, social welfare, public health or other eleemosynary purpose, or for the benefit of law enforcement personnel, firefighters or other persons who protect the public safety.

Under the provisions of the bill, the governing body of the municipality is afforded the authority to regulate such solicitations by charitable organizations in accordance with rules and regulations promulgated by the Department of Transportation in consultation with the Division of Highway Traffic Safety. In addition, the bill specifies that the approval of the county also is required if the solicitation is to take place on a county road and, if the road is a State road, the approval of the Commissioner of Transportation.

This permission to solicit does not extend to interstate highways and toll roads, however. Consequently, the bill does not permit charitable organizations to solicit on any interstate highway, the New Jersey Turnpike, the Garden State Parkway or the Atlantic City Expressway.

Violators are subject to fines of no more than \$100.

Finally, the bill supplements Title 40 of the Revised Statutes to grant municipalities immunity from civil liability for personal injury or property damage resulting from a motor vehicle accident arising out of, or in the course of, any such roadway solicitations by a charitable organization.

Senate Bill 622 (1R) is identical to Assembly Bill No.1895, as amended by the committee.