

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 801

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1996

The Senate Transportation Committee favorably reports Senate Bill No. 801 with committee amendments.

The electronic collection of tolls on highways and bridges is in the process of being implemented in the State of New Jersey and New York by the inauguration of the "E-Z-pass system." This system permits a driver to pass through existing toll barriers without stopping for the purpose of manually depositing currency, coins or tokens. This system will permit tolls to be paid automatically by means of automated electronic identification of a vehicle at a toll booth and the debiting of a vehicle account. This allows tolls to be paid automatically while vehicles are in motion, thereby improving traffic flow and reducing delays and queuing.

This amended bill, which is modeled in part on S-428 of 1996 concerning the Port Authority of New York and New Jersey, clarifies existing laws of the State's three toll road authorities - the New Jersey Highway Authority, the New Jersey Turnpike Authority and the South Jersey Transportation Authority - with regard to the liability of the owners of motor vehicles for toll collection violations and the status and use of photo-monitoring and other evidence in order to permit the toll road authorities to expediently implement electronic toll collection technology.

The committee approved amendments to clarify that the toll road authority may use state of the art technology, including but not limited to, automatic vehicle identification technology, to aid in the collection of tolls and enforcement of toll violations. This will enable the authorities to alter the system as improved technology becomes available without requiring future legislative changes. The amendments also permit the authorities to continue the use of visual observation and other generally accepted enforcement techniques to detect violations of the toll collection regulations and provide for the issuance of a notice to the owner by mail and a mechanism to allow an owner to pay the toll (plus a reasonable administrative fee) before the authorities' standard penalty collection procedures are utilized.

In addition, the amendments provide that the photo-monitoring

system records are for the exclusive use of the authorities in the discharge of their duties under the act in order to protect the privacy of these records and to prevent unwarranted requests for inspection. Finally, the amendments add a provision that nothing in this act shall be construed as prohibiting a law enforcement officer from issuing a citation for a violation of the motor vehicle and traffic laws as set forth in Title 39.