

**SENATE, No. 1278**

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**STATE OF NEW JERSEY**

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INTRODUCED JUNE 3, 1996

By Senators LaROSSA, Scott and Cardinale

1   **AN ACT** concerning the rate of speed on certain highways and  
2   amending R.S.39:4-98.

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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. 39:4-98 is amended to read as follows:

8           39:4-98. Rates of speed. Subject to the provisions of [sections]  
9           R.S.39:4-96 and R.S.39:4-97 [of this Title] and except in those  
10          instances where a lower speed is specified in this chapter, it shall be  
11          *prima facie* lawful for the driver of a vehicle to drive it at a speed not  
12          exceeding the following:

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

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

19           (2) Thirty-five miles an hour in any suburban business or residential  
20          district;

21           c. Fifty miles [an] per hour in all other locations, except as  
22          otherwise provided in subsection d. of this section;

23           d. Sixty-five miles per hour on portions of the State highway  
24          system including, but not limited to, interstate highways and highways  
25          of similar design and access control.

26          Whenever it shall be determined upon the basis of an engineering  
27          and traffic investigation that any speed hereinbefore set forth is greater  
28          or less than is reasonable or safe under the conditions found to exist  
29          at any intersection or other place or upon any part of a highway, the  
30          Commissioner of Transportation, with reference to State highways,  
31          may by regulation and municipal or county authorities, with reference  
32          to highways under their jurisdiction, may by ordinance, in the case of  
33          municipal authorities, or by ordinance or resolution, in the case of  
34          county authorities, subject to the approval of the Commissioner of

**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 Transportation, except as otherwise provided in R.S.39:4-8, designate  
2 a reasonable and safe speed limit thereat which, subject to the  
3 provisions of R.S.39:4-96 and R.S.39:4-97, shall be *prima facie* lawful  
4 at all times or at such times as may be determined, when appropriate  
5 signs giving notice thereof are erected at such intersection, or other  
6 place or part of the highway. Appropriate signs giving notice of the  
7 speed limits authorized under the provisions of paragraph (1) of  
8 subsection b. and subsection c. of this section may be erected if the  
9 commissioner or the municipal or county authorities, as the case may  
10 be, so determine they are necessary. Appropriate signs giving notice  
11 of the speed limits authorized under the provisions of subsection a. and  
12 paragraph (2) of subsection b. of this section shall be erected by the  
13 commissioner or the municipal or county authorities, as appropriate.

14 The driver of every vehicle shall, consistent with the requirements  
15 of this section, drive at an appropriate reduced speed when  
16 approaching and crossing an intersection or railway grade crossing,  
17 when approaching and going around a curve, when approaching a hill  
18 crest, when traveling upon any narrow or winding roadway, and when  
19 special hazard exists with respect to pedestrians or other traffic or by  
20 reason of weather or highway conditions.

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

25 (cf: P.L.1993, c.315, s.2)

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27 2. This act shall take effect on the first day of the second month  
28 following enactment.

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#### 31 STATEMENT

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33 This bill establishes a 65 miles per hour (mph) speed limit on  
34 portions of the highway system in New Jersey that can accommodate  
35 such speeds. Approximately 456 miles of the controlled access  
36 highways administered by the State Department of Transportation  
37 would qualify for a 65 mph speed limit under the provisions of this bill.

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42 Establishes 65 mph speed limit for portions of State highway system.