

SENATE, No. 1727

STATE OF NEW JERSEY

INTRODUCED DECEMBER 16, 1996

By Senators KOSCO, EWING and Cafiero

1 AN ACT concerning certain motor vehicle offenses and amending  
2 P.L.1993, c.332.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State of  
5 *New Jersey*:

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7 1. Section 1 of P.L.1993, c. 332 (C.39:4-203.5) is amended to  
8 read as follows:

9 1. a. For the purposes of this act:

10 "Area of highway construction or repair" means that segment of any  
11 highway which is identified by properly posted traffic control devices  
12 or signs as undergoing construction, reconstruction, repair, or  
13 maintenance operation. An area of highway construction or repair  
14 shall consist of that area between the first traffic control device or sign  
15 informing motor vehicle operators of their approaching highway  
16 construction or repair and the last traffic control device or sign  
17 indicating all restrictions are removed and normal motor vehicle  
18 operations may resume.

19 "Highway" means any highway under the jurisdiction of the State  
20 Department of Transportation, a county, a municipality or a toll road  
21 authority.

22 "School zone" means a school zone as defined in R.S. 39:1-1.

23 "Toll road authority" means the New Jersey Turnpike Authority,  
24 the New Jersey Highway Authority, or the South Jersey  
25 Transportation Authority.

26 b. (1) The fine for a motor vehicle offense embodied in the following  
27 sections of statutory law, when committed in an area of highway  
28 construction or repair, shall be double the amount specified by law:

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30 Subsection b. of R.S.39:3-20;

31 R.S.39:4-52;

32 R.S.39:4-57;

33 R.S.39:4-71;

34 R.S.39:4-80;

**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 R.S.39:4-81;  
2 R.S.39:4-82;  
3 R.S.39:4-83;  
4 R.S.39:4-84;  
5 R.S.39:4-85;  
6 R.S.39:4-86;  
7 R.S.39:4-88;  
8 R.S.39:4-89;  
9 R.S.39:4-90;  
10 R.S.39:4-96;  
11 R.S.39:4-97;  
12 R.S.39:4-98;  
13 R.S.39:4-99;  
14 R.S.39:4-105;  
15 R.S.39:4-115;  
16 R.S.39:4-119;  
17 R.S.39:4-122;  
18 R.S.39:4-123;  
19 R.S.39:4-124;  
20 R.S.39:4-125;  
21 R.S.39:4-127;  
22 R.S.39:4-129;  
23 R.S.39:4-144;  
24 P.L.1955, c.217 (C.39:5C-1);  
25 Section 48 of P.L.1951, c.23 (C.39:4-66.1);  
26 Section 41 of P.L.1951, c.23 (C.39:4-82.1);  
27 Section 51 of P.L.1951, c.23 (C.39:4-90.1);  
28 Section 5 of P.L.1951, c.264 (C.27:23-29);  
29 Section 18 of P.L.1952, c.16 (C.27:12B-18); and  
30 Section 21 of P.L. 1991, c.252 (C.27:25A-21).

31 (2) A municipality may, by ordinance, provide that the fine for a  
32 motor vehicle offense enumerated in paragraph (1) of this subsection  
33 shall be double the amount specified by law when committed in a  
34 school zone.

35 c. (1) Signs designed in compliance with the specifications of the  
36 Department of Transportation or, if appropriate, the toll road authority  
37 having jurisdiction over the appropriate highway, shall be  
38 appropriately placed, by order of the Commissioner of Transportation,  
39 the appropriate local official, or the affected toll road authority, as the  
40 case may be, to notify drivers approaching areas of highway  
41 construction and repair and applicable school zones that the fines are  
42 doubled for motor vehicle offenses in those areas or zones.

43 (2) In addition, all traffic control signs and devices erected or  
44 displayed by the State Department of Transportation, a county, a  
45 municipality or a toll road authority within an area of highway  
46 construction or repair or applicable school zone shall conform to the

1 uniform system specified in the most current "Manual on Uniform  
2 Traffic Control Devices for Streets and Highways," prepared by the  
3 Federal Highway Administration in the United States Department of  
4 Transportation.

5 d. It shall not be a defense to the imposition of the fines authorized  
6 under the provisions of this act that a sign notifying drivers who are  
7 approaching highway construction or repair areas or applicable school  
8 zones that fines are doubled for motor vehicle offenses in those areas  
9 or zones was not posted, improperly posted, wrongfully removed or  
10 stolen, or that signs or devices were not placed in compliance with the  
11 most current "Manual on Uniform Traffic Control Devices for Streets  
12 and Highways" as required pursuant to paragraph (2) of subsection c.  
13 of this section, or that the school in question was not in session.

14 e. The director shall include information concerning the penalties  
15 imposed pursuant to this act in any subsequent revision of the New  
16 Jersey Driver Manual and the New Jersey Motorist Guide.

17 (cf: P.L.1993, c.332, s.1)

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

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#### STATEMENT

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25 Under current law, the fines for certain motor vehicle moving  
26 violations are doubled when the violation occurs in an area of highway  
27 construction or repair. This bill would expand the law by allowing  
28 municipalities, by ordinance, to also provide for the doubling of fines  
29 when these violations occur in a school zone. The purpose of  
30 increasing these fines is to heighten motorists' awareness of the need  
31 to exercise extra caution when driving in the vicinity of a school.  
32 There would be no increase in the number of motor vehicle penalty  
33 points assessed for the violation, however.

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39 Allows municipalities to double fines for moving motor vehicle  
violations in school zones.