

**ASSEMBLY, No. 2103**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen and Passaic)**

**Assemblyman P. CHRISTOPHER TULLY**

**District 38 (Bergen and Passaic)**

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**SYNOPSIS**

Permits counties and municipalities to bond for alternative fuel vehicles.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** concerning the acquisition of alternative fuel automotive  
2       vehicles and amending N.J.S.40A:2-22.

3

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

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7       1. N.J.S.40A:2-22 is amended to read as follows:

8       40A:2-22. The governing body of the local unit shall determine  
9 the period of usefulness of any purpose according to its reasonable  
10 life computed from the date of the bonds, which period shall not be  
11 greater than the following:

12       a. Buildings and structures.

13       1. Bridges, including retaining walls and approaches, or  
14 permanent structures of brick, stone, concrete or metal, or similar  
15 durable construction, 30 years.

16       2. Buildings, including the original furnishings and equipment  
17 therefor:

18       Class A: A building, of which all walls, floors, partitions, stairs  
19 and roof are wholly of incombustible material, except the window  
20 frames, doors, top flooring and wooden handrails on the stairs, 40  
21 years;

22       Class B: A building, the outer walls of which are wholly of  
23 incombustible material, except the window frames and doors, 30  
24 years;

25       Class C: A building which does not meet the requirements of  
26 Class A or Class B, 20 years.

27       3. Buildings or structures acquired substantially reconstructed  
28 or additions thereto, one-half the period fixed in this subsection for  
29 such buildings or structures.

30       4. Additional furnishings, five years.

31       b. Marine improvements.

32       1. Harbor improvements, docks or marine terminals, 40 years.

33       2. Dikes, bulkheads, jetties or similar devices of stone,  
34 concrete or metal, 15 years; of wood or partly of wood, 10 years.

35       c. Additional equipment and machinery.

36       1. Additional or replacement equipment and machinery, 15  
37 years.

38       2. Voting machines, 15 years.

39       3. Information technology and telecommunications equipment,  
40 7 years, except that for items with a unit cost of less than \$5,000, 5  
41 years.

42       d. Real property.

43       1. Acquisition for any public purpose of lands or riparian  
44 rights, or both, and the original dredging, grading, draining or  
45 planting thereof, 40 years.

46       2. Improvement of airport, cemetery, golf course, park,  
47 playground, 15 years.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1       3. Stadia of concrete or other incombustible materials, 20  
2       years.
- 3       e. Streets or thoroughfares.
- 4       1. Elimination of grade crossings, 35 years.
- 5       2. Streets or roads:
- 6       Class A: Rigid pavement. A pavement of not less than eight  
7       inches of cement concrete or a six-inch cement concrete base with  
8       not less than three-inch bituminous concrete surface course, or  
9       equivalent wearing surface, 20 years.
- 10      Flexible pavement. A pavement not less than 10 inches in depth  
11      consisting of five-inch macadam base, three-inch modified  
12      penetration macadam and three-inch bituminous concrete surface  
13      course or other pavements of equivalent strength, in accordance  
14      with the findings of the American Association of State Highway  
15      Officials (AASHO) Road Test, 20 years.
- 16      Class B: Mixed surface-treated road. An eight-inch surface of  
17      gravel, stone or other selected material under partial control mixed  
18      with cement or lime and fly ash, six inches in compacted thickness  
19      with bituminous surface treatment and cover, 10 years.
- 20      Bituminous penetration road. A five-inch gravel or stone base  
21      course and a three-inch course bound with a bituminous or  
22      equivalent binder, 10 years.
- 23      Class C: Mixed bituminous road. An eight-inch surface of  
24      gravel, stone, or other selected material under partial control mixed  
25      with bituminous material one inch or more in compacted thickness,  
26      five years.
- 27      Penetration macadam road. A road of sand, gravel or water-  
28      bound macadam, or surfacing with penetration macadam, five years.
- 29      3. Sidewalks, curbs and gutters of stone, concrete or brick, 10  
30      years.
- 31      The period of usefulness in this subsection shall apply to  
32      construction and reconstruction of streets and thoroughfares.
- 33      f. Utilities and municipal systems.
- 34      1. Sewerage system, whether sanitary or storm water, water  
35      supply or distribution system, 40 years.
- 36      2. Electric light, power or gas systems, garbage, refuse or ashes  
37      incinerator or disposal plant, 25 years.
- 38      3. Communication and signal systems, 10 years.
- 39      4. House connections to publicly-owned gas, water or sewerage  
40      systems from the service main in the street to the curb or property  
41      lines where not part of original installation, five years.
- 42      5. House connections to publicly-owned water systems, from  
43      the distribution main onto privately-owned real property and into  
44      the privately-owned structure, for the purpose of replacing lead-  
45      contaminated house connections, so long as the project is (a)  
46      undertaken as an environmental infrastructure project, as defined  
47      under section 3 of P.L.1985, c.334 (C.58:11B-3), and (b) funded  
48      either by loans from the New Jersey Infrastructure Bank, created

- 1 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), or by loans  
2 issued through the Department of Environmental Protection, 30  
3 years.
- 4 g. Vehicles and apparatus.
- 5 1. Fire engines, apparatus and equipment, when purchased  
6 new, but not fire equipment purchased separately, 10 years.
- 7 2. Automotive vehicles, including original apparatus and  
8 equipment (other than passenger cars and station wagons), when  
9 purchased new, five years.
- 10 3. Major repairs, reconditioning or overhaul of fire engines and  
11 apparatus, ambulances, rescue vehicles, and similar public safety  
12 vehicles (other than passenger cars and station wagons) which may  
13 reasonably be expected to extend for at least five years the period of  
14 usefulness thereof, five years.
- 15 4. Alternative fuel automotive vehicles, including but not  
16 limited to, electric vehicles, plug-in hybrid vehicles, hydrogen fuel  
17 cell vehicles, natural gas vehicles, and propane vehicles, when  
18 purchased new, five years.
- 19 h. The closure of a sanitary landfill facility utilized, owned or  
20 operated by a county or municipality, 15 years; provided that the  
21 closure has been approved by the Board of Public Utilities and the  
22 Department of Environmental Protection. For the purposes of this  
23 subsection "closure" means all activities associated with the design,  
24 purchase or construction of all measures required by the  
25 Department of Environmental Protection, pursuant to law, in order  
26 to prevent, minimize or monitor pollution or health hazards  
27 resulting from sanitary landfill facilities subsequent to the  
28 termination of operations at any portion thereof, including, but not  
29 necessarily limited to, the costs of the placement of earthen or  
30 vegetative cover, and the installation of methane gas vents or  
31 monitors and leachate monitoring wells or collection systems at the  
32 site of any sanitary landfill facility.
- 33 i. (Deleted by amendment, P.L.2007, c.62.)
- 34 j. The prefunding of a claims account for environmental  
35 liability claims by an environmental impairment liability insurance  
36 pool pursuant to P.L.1993, c.269 (C.40A:10-38.1 et al.), 20 years.
- 37 k. As used in this section:
- 38 "Alternative fuel automotive vehicle" means any passenger car,  
39 station wagon, or other motor vehicle that is not solely propelled by  
40 gasoline or diesel fuel.
- 41 "Electric vehicle" means any passenger car, station wagon, or  
42 other motor vehicle that is propelled solely by an electric motor or  
43 energy storage device.
- 44 "Hydrogen fuel cell vehicle" means any passenger car, station  
45 wagon, or other motor vehicle that is propelled by power derived  
46 from one or more cells that convert chemical energy directly into  
47 electricity by combining oxygen with hydrogen fuel.

1     “Natural gas vehicle” means any passenger car, station wagon, or  
2     other motor vehicle that is either propelled solely by natural gas or  
3     by any mixture of natural gas and gasoline or diesel fuel.

4     “Plug-in hybrid vehicle” means any passenger car, station  
5     wagon, or other motor vehicle that can be charged from a source of  
6     electricity external to the vehicle through an electric plug, but  
7     which is not solely powered by electricity.

8     “Propane vehicle” means any passenger car, station wagon, or  
9     other motor vehicle that is either propelled solely by liquefied  
10    petroleum gas or by any mixture of liquefied petroleum gas and  
11    gasoline or diesel fuel.

12    (cf: P.L.2018, c.114, s.4)

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14       2. This act shall take effect immediately.

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17                               STATEMENT

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19       This bill permits counties and municipalities to issue bonds to  
20       acquire alternative fuel automotive vehicles.

21       Counties and municipalities are currently prohibited under the  
22       Local Bond Law, N.J.S.40A:2-1 et seq., from issuing bonds to  
23       finance the acquisition of passenger cars and station wagons,  
24       regardless of whether these vehicles are powered by alternative fuel  
25       sources. This bill amends the Local Bond Law to authorize the  
26       acquisition of any newly purchased alternative fuel automotive  
27       vehicle, including but not limited to electric vehicles, plug-in hybrid  
28       vehicles, hydrogen fuel cell vehicles, natural gas vehicles, and  
29       propane vehicles.

30       The bill defines an “alternative fuel automotive vehicle” as any  
31       passenger car, station wagon, or other motor vehicle that is not  
32       solely propelled by gasoline or diesel fuel.