

SENATE, No. 1952

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED MAY 17, 2012

Sponsored by:

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Repeals traffic control signal monitoring system pilot program; prohibits future use of red light cameras in State.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning traffic control signal monitoring systems,
2 amending R.S.39:5-3, supplementing Title 39 of the Revised
3 Statutes, and repealing P.L.2007, c.348 and section 4 of
4 P.L.2009, c.52.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. R.S.39:5-3 is amended to read as follows:

10 39:5-3. a. When a person has violated a provision of this subtitle,
11 the judge may, within 30 days after the commission of the offense,
12 issue process directed to a constable, police officer, or the chief
13 administrator for the appearance or arrest of the person so charged
14 **[and for a violation of R.S.39:4-81, issue process within 90 days**
15 **after the commission of the offense]**. In the case of a violation
16 enumerated in subsection b. of this section, this period shall
17 commence upon the filing of a complaint.

18 b. A complaint may be made to a judge for a violation of
19 R.S.39:3-12, R.S.39:3-34, R.S.39:3-37, R.S.39:4-129 or R.S.39:10-
20 24 at any time within one year after the commission of the offense;
21 for a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-
22 50.4a), section 5 of P.L.1990, c.103 (C.39:3-10.13), section 16 of
23 P.L.1990, c.103 (C.39:3-10.24), section 3 of P.L.1952, c.157
24 (C.12:7-46), section 9 of P.L.1986, c.39 (C.12:7-57), R.S.39:3-40,
25 or section 1 of P.L.1942, c.192 (C.39:4-128.1), at any time within
26 90 days after the commission of the offense.

27 c. All proceedings shall be brought before a judge having
28 jurisdiction in the municipality in which it is alleged that the
29 violation occurred, but when a violation occurs on a street through
30 which the boundary line of two or more municipalities runs or
31 crosses, then the proceeding may be brought before the judge
32 having jurisdiction in any one of the municipalities divided by said
33 boundary line, and in the event there shall be no judge or should no
34 judge having such jurisdiction be available for the acceptance of
35 bail and disposition of the case, or should the judges having such
36 jurisdiction be disqualified because of personal interest in the
37 proceedings, or for any other legal cause, said proceeding shall be
38 brought before a judge having jurisdiction in the nearest
39 municipality to the one in which it is alleged such a violation
40 occurred.

41 (cf: P.L.2009, c.52, s.1)

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43 2. (New section) a. A municipality shall not utilize any traffic
44 control signal monitoring system to detect violations of a traffic
45 control signal.

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.

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1 b. For the purposes of this section:

2 "Traffic control signal" means a device, whether manually,
3 electrically, mechanically, or otherwise controlled, by which traffic
4 is alternatively directed to stop and to proceed, and which has been
5 approved by the Commissioner of Transportation in accordance
6 with the "Manual on Uniform Traffic Control Devices for Streets
7 and Highways."

8 "Traffic control signal monitoring system" means an integrated
9 system or device utilizing a camera, or a multiple camera system,
10 and vehicle sensors which works in conjunction with a traffic
11 control signal and is capable of producing high resolution color
12 digital recorded images and a video recording of the violation that
13 shows the violation occurring.

14

15 3. The following sections are repealed:

16 P.L.2007, c.348 (C.39:4-8.12 et seq.); and

17 Section 4 of P.L.2009, c.52 (C.39:4-8.20).

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19 4. This act shall take effect immediately; provided, however, that
20 the provisions of this act shall not impair any contract in effect on
21 the effective date of P.L. , c. (C.) (pending before the
22 Legislature as this bill).

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STATEMENT

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27 This bill repeals the traffic control signal monitoring system pilot
28 program enacted in 2007 and prohibits municipalities from using
29 similar systems to detect violations of traffic control signals in the
30 future. The bill also removes provisions from current law providing
31 for a 90-day time frame for law enforcement to issue and serve
32 process for a violation of a traffic control device, including for
33 violations of traffic control signal monitoring systems.

34 The bill would not apply to a municipality which has entered into
35 a contract with a vendor concerning a traffic control signal
36 monitoring system until the expiration of such contract.