

Introduced to Amended -- Concerns parking violations that obstruct NJT bus stop zones; establishes pilot program for parking violations that obstruct certain bicycle lanes.*

S2559 1R [First Reprint] SENATE, No.

1. As used in P.L. , C. (C. ~~through~~1~~through C.~~1~~)~~C. 1) (pending before the Legislature as this bill): "Access Link" means the paratransit service implemented by the corporation for purposes of complying with the "Americans with Disabilities Act of 1990," Pub.L.101-336 (42 U.S.C.

2. a. The New Jersey Transit Corporation shall issue citations for a covered violation resulting from recorded images.

~~The corporation shall install and operate bus obstruction monitoring systems on buses owned or operated by the corporation or operated under contract with the corporation to capture recorded images of motor vehicles during the commission of a covered violation and to issue citations for covered violations. The number of buses equipped with bus obstruction monitoring systems, as well as the selection of routes and deployment locations, shall be determined by the corporation based on a cost-benefit analysis, anticipated impact on motorbus regular route service efficiency, safety and rider accessibility, predicted violation frequency, and overall operational feasibility.~~

5. a. A citation issued by a bus obstruction monitoring system for a covered violation may be contested on the grounds ~~that~~that: (1) the motor vehicle was a transit vehicle owned, operated, leased, or contracted for by the corporation or by a local or county transportation agency;

(1)(2) the motor vehicle was a transit school vehicle bus; ~~owned, operated, leased, or contracted for by the corporation or by a local or county transportation agency;~~

(2)(3) the motor vehicle was ~~an~~ ~~school~~ authorized bus; emergency vehicle operating on official business or in the exercise of the driver's profession, including in response to an emergency call or while pursuing an actual or suspected violator of the law;

(3)(4) the motor vehicle was owned authorized or emergency operated vehicle by operating a on federal, official state, business county, or in local the government exercise agency of and the was driver's engaged profession, including in response official to duties an at emergency the call time or while pursuing an actual or suspected violation of the law; alleged covered violation;

(4)(5) the motor vehicle was owned, parked, stopped, or operated standing by due to a federal, medical, state, emergency county, or local mechanical government breakdown agency and was the engaged owner in provides official proof duties documenting at the time claim; of the alleged covered violation;

(5)(6) the motor vehicle was ~~parked, providing stopped, transportation or related standing due to a~~ medical provision emergency of or funeral mechanical services breakdown and the owner provides proof documenting the claim;

(6)(7) the motor vehicle was providing reported transportation stolen related at to the provision time of funeral the services covered and violation, the as owner documented provides by proof a documenting police thereport; claim;

or (7)(8) the motor vehicle was reported previously stolen issued at by the time local
of law enforcement agency or parking authority for the same covered violation, as the documented fine
by associated with police the report, covered violation has been paid, and the owner or operator submits
proof of payment to the corporation.

or (8)b. An citation owner was or previously operator issued shall by have a 30 local calendar
parking days authority from for the same date covered of violation, mailing of the fine citation associated to

~~with contest the alleged covered violation has to be paid, and the owner corporation or pursuant operator submits proof of payment to the subsection corporation a.~~

~~of b. this An section 1. owner A citation may be contested through the corporation's Internet website, by mail, or operator by shall requesting have a 30 hearing calendar in days accordance from with procedures established by 1 rules and regulations adopted by 1 the date corporation of in mailing accordance with the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.). After reviewing a contested citation, the corporation shall send a copy of its final decision to the registered owner contesting the citation with instructions for the registered owner's options to contest either pay the alleged fine covered or violation appeal the corporation's decision.~~

~~A citation c. may A be registered contested owner through contesting the corporation's Internet website, by mail, or by requesting a hearing citation in pursuant accordance to with subsection procedures a. established by the corporation.~~

~~of this section may appeal a final decision issued by the corporation pursuant to subsection b.~~

~~of this section to the New Jersey Superior Court 1.~~

b. If an owner or operator is found to be in violation of ~~P.L. , c. (C.)~~ P.L. , c. (C.) (pending before the Legislature as this bill) by means of a bus obstruction monitoring system, a fine of \$45 shall be imposed for the first ~~offense offense~~. Subsequent violations within any 12-month period from the date of the first offense shall increase by \$45, with a maximum fine of up to \$135.

~~Subsequent If violations no within further any violations 12-month occur period within from 1 the the a 1 date 12-month of period, the first fine offense structure shall increase reset. by \$45, with a maximum fine of up to \$135.~~

~~If For no the further purposes violations of occur calculating within subsequent fines, the 12-month number period, of the covered fine violations structure shall be associated with a motor vehicle's registration number and shall reset not be associated with the identity of the operator.~~

~~For the purposes of calculating subsequent fines, the number of covered violations shall be associated with a motor vehicle's registration number and shall not be associated with the identity of the operator.~~

d. ~~The 1 If corporation an may owner retain or any operator fines has collected failed pursuant to this pay section three to or cover more the administrative costs of administering the bus obstruction monitoring system program. Any excess revenue from fines collected issued pursuant to this subsection section b. shall be used to fund Access Link services.~~

~~of e. this The section, the corporation shall may not notify enter the into New any Jersey agreement Motor for Vehicle bus Commission obstruction in monitoring a systems form or and bus manner obstruction prescribed monitoring by system operator services that bases contractor compensation on the amount commission of revenue generated in monetary fines collected pursuant to this section.~~

~~Upon f. receiving Prior such to notice, issuing the any commission citations may or suspend fines for covered violations pursuant to this section, the corporation driver's shall license, issue or only warning notices for a period of 60 days beginning on the date registration of implementation of active enforcement pursuant to P.L. , c. (C.) (pending before the Legislature motor as vehicle, this bill). The corporation shall issue a public announcement regarding the corporation's implementation of the an bus owner obstruction or monitoring operator system who and has shall not provide paid the or public otherwise with satisfied information three about or the more bus fines obstruction issued monitoring pursuant system to programs subsection on b. the corporation's Internet website contemporaneous with the warning notice period.~~

~~of this 7 section. The However, New after Jersey issuing Transits such Corporation notice, shall if submit the an fines annual are reports subsequently to paid the or Governor if and, the pursuant case to is section dismissed 2 or of otherwise P.L. 1991, disposed c. 164 of, (C. 52:14-10.1), the to corporation the shall Legislature promptly regarding notify the corporation's commission implementation of bus obstruction monitoring systems. At a minimum, the reports subsequent shall payment, include dismissal, the or disposal.~~

a. ~~e. 1 total The number corporation of may citations retain issued any under fines the collected program pursuant for to that this year, section broken to down cover by the administrative costs of administering the bus route obstruction and monitoring violation system type; program. Any excess revenue from fines collected pursuant to this section shall be used to fund Access Link services.~~

b. ~~1 [e.] amount f. 1 of The revenue corporation generated shall from not fine enter collections into under any the agreement program for that bus year obstruction and monitoring the systems allocation or of the revenue, broken down by bus route obstruction and monitoring violation system type, operator and services that c. bases impact contractor compensation on bus the service amount efficiency of including, revenue but generated not limited to, average travel speed, schedule adherence, reduction in delays monetary and fines safety collected improvements pursuant at to designated this enforcement section. locations, illegal parking, and traffic congestion.~~

~~1 [f. Prior to issuing any citations or fines for covered violations pursuant to this section, the corporation shall issue only warning notices for a period of 60 days beginning on the date of~~

implementation of active enforcement pursuant to P.L. _____, c. _____ (C. _____) (pending before the Legislature as this bill).] g.1 The corporation shall implement the bus obstruction monitoring system program as follows: (1) For a period of 180 days beginning on the date of implementation of the bus obstruction monitoring system program, the corporation shall [issue] conduct a public [announcement] education and awareness campaign regarding the corporation's implementation of the bus obstruction monitoring system [and] program. The campaign shall include, but not be limited to, bus exterior advertising, web-based and social media outreach, and press events. The corporation shall also provide the public with information about the bus obstruction monitoring system program on the corporation's Internet website [contemporaneous with the warning notice period] commencing at the start of the implementation of the program;

and (2) Prior to issuing any citations or fines for covered violations pursuant to this section, the corporation shall issue only warning notices for a period of 90 days, which period shall begin 90 days after the date of implementation of the bus obstruction system program.

7. The New Jersey Transit Corporation shall submit an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature regarding the corporation's implementation of bus obstruction monitoring systems. At a minimum, the report shall include the:

a. total number of citations issued under the program for that year, broken down by bus route and violation type;

b. amount of revenue generated from fine collections under the program for that year and the allocation of the revenue, broken down by bus route and violation type [,] ; and c. impact on bus service efficiency including, but not limited to, average travel speed, schedule adherence, reduction in delays and safety improvements at designated enforcement locations, illegal parking, and traffic congestion.

~~STATEMENT This bill requires the New Jersey Transit Corporation (corporation) to issue citations for covered violations as evidenced by recorded images captured by bus obstruction monitoring systems. The bill requires a designated employee of the corporation or a contracted law enforcement agency to review recorded images for covered violations.~~

~~The corporation is required to install and operate bus obstruction monitoring systems on buses owned and operated by the corporation, or operated under contract with the corporation, to capture recorded images of motor vehicles during the commission of a covered violation and to issue citations for covered violations.~~

~~The number of buses to be equipped with bus obstruction monitoring systems is to be determined by the corporation.~~

~~Under the bill, a bus obstruction monitoring system may only be used if it is operated by a bus obstruction monitoring system operator and a sign is affixed to the bus alerting drivers that the bus is equipped with a bus obstruction monitoring system.~~

~~Under the bill, a bus obstruction monitoring system is to only retain recorded images of motor vehicles that contain evidence of a covered violation. Recorded images from a bus obstruction monitoring system may be retained for up to six months or 60 days after final disposition of the citation, whichever is later, if the record images contain evidence of a covered violation. If the recorded images do not contain evidence of a covered violation, the recorded images are required to be destroyed within 15 days after the recorded images were first captured. Recorded images are to be stored on secured servers or encrypted digital storage systems that meet or exceed State information security standards established by the New Jersey Office of Homeland Security and Preparedness. Recorded images are not deemed a government record and are not to be discoverable as a government record by any person, entity, or governmental agency, except upon a subpoena issued by a grand jury or a court order in a criminal matter.~~

~~Additionally, recorded images are not permitted to be offered as evidence in any civil or administrative proceeding not directly related to a covered violation. A bus obstruction monitoring system may not use biometric identification techniques, including facial recognition technology.~~

~~A bus obstruction monitoring system operator is required to complete training by the manufacturer of the bus obstruction monitoring system in the procedures for setting up, testing, and operating the bus obstruction monitoring system. Upon completion of the training, the manufacturer is required to issue a signed certificate to the bus obstruction monitoring system operator, which certificate is to be admissible as evidence in any administrative or judicial proceeding for a covered violation. In addition, a bus obstruction monitoring system operator is required to perform manufacturer-specified functionality tests of each bus obstruction monitoring system prior to the start of daily service and at regular intervals throughout the day, as required by the manufacturer.~~

~~Each test is to confirm proper operation of the camera, time and date stamp, location tracking, and image capture functions.~~

~~A bus obstruction monitoring system operator is also required to complete and sign a test verification log for each bus obstruction monitoring system, which log is to meet certain requirements under the bill.~~

~~Under the bill, no motor vehicle is permitted to stop, stand, or park in a dedicated bus lane, bus stop zone, or designated bicycle lane. Citations issued by a bus obstruction monitoring system for a covered violation may be contested on certain grounds as provided in the bill.~~

~~An owner or operator of a motor vehicle who received a citation for a covered violation has 30 days from the date on which the citation was mailed to contest the alleged covered violation.~~

~~If an owner or operator of a motor vehicle violates the bill's provisions, as captured by a bus obstruction monitoring system, the owner or operator of the motor vehicle is subject to a fine of \$45 for the first offense.~~

~~Subsequent offenses within that 12-month period are to increase by \$45, with a maximum fine of \$135 per offense. The corporation is permitted to retain any fines collected pursuant to the bill for the purposes of covering administrative costs of administering the bus obstruction monitoring system program. Any excess revenue from fines collected pursuant to the program is to be used to fund Access Link services. Additionally, the corporation is prohibited from entering into any agreement for bus obstruction monitoring systems or bus obstruction monitoring system operator services that bases contractor compensation on the amount of revenue generated in monetary fines collected.~~

~~Prior to issuing any citations or fines for covered violations, the corporation is required to issue warning notices for 60 days following the date that active enforcement is implemented.~~

~~The corporation is required to issue a public announcement regarding the corporation's implementation of the bus obstruction monitoring system and to provide the public with information about the bus obstruction monitoring system on the corporation's Internet website contemporaneous with the warning notice period.~~

~~The bill requires the corporation to submit an annual report to the Governor and to the Legislature regarding the bus obstruction monitoring system, which report is to include certain information.~~

~~With this bill, the sponsor intends to enhance safety for passengers boarding and alighting from buses particularly at designated bus stops, as well as for pedestrians, cyclists, and micro mobility users who often share curbside and lane space.~~

~~By keeping bus stops, bus lanes, and adjacent bike lanes clear of obstructing motor vehicles, the bill aims to improve transit reliability, reduce delays, and promote safer and more accessible streets for all users.~~