

[Second Reprint]

SENATE, No. 530

STATE OF NEW JERSEY
215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

Assemblyman GILBERT "WHIP" L. WILSON

District 5 (Camden and Gloucester)

Assemblyman DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Co-Sponsored by:

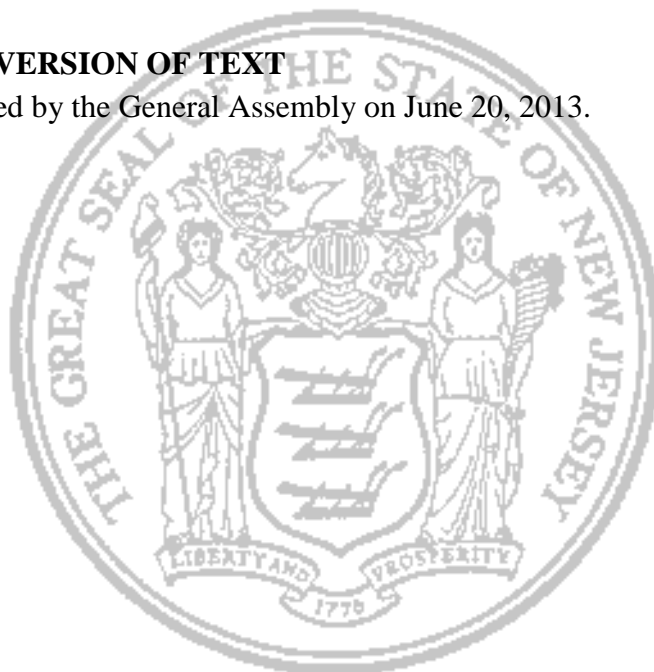
Assemblyman Conaway and Senator Beach

SYNOPSIS

Increases fine for failure to keep right or failure to observe traffic lanes;
establishes fund to pay for certain signage.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 20, 2013.



(Sponsorship Updated As Of: 6/28/2013)

S530 [2R] NORCROSS

2

1 AN ACT concerning penalties for certain traffic violations, creating
2 a fund for the acquisition of certain traffic signage, ¹**[amending**
3 **R.S.39:4-88]**¹ ²amending R.S.39:4-88² and supplementing Title
4 ¹**[52]** 39¹ of the Revised Statutes.

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

- 8
9 ¹**[1.** R.S.39:4-88 is amended to read as follows:
10 39:4-88. When a roadway has been divided into clearly marked
11 lanes for traffic, drivers of vehicles shall obey the following
12 regulations:
- 13 a. A vehicle shall normally be driven in the lane nearest the
14 right-hand edge or curb of the roadway when that lane is available
15 for travel, except when overtaking another vehicle or in preparation
16 for a left turn.
 - 17 b. A vehicle shall be driven as nearly as practicable entirely
18 within a single lane and shall not be moved from that lane until the
19 driver has first ascertained that the movement can be made with
20 safety.
 - 21 c. Upon a highway which is divided into 3 lanes, a vehicle
22 shall not be driven in the center lane except when overtaking or
23 passing another vehicle or in preparation for a left turn or unless the
24 center lane is at the time allocated for traffic moving in the
25 direction the vehicle is proceeding and is signposted to give notice
26 of that allocation.
 - 27 d. The State Highway Commissioner may by regulation or
28 local authorities may by resolution or ordinance with respect to
29 highways under their jurisdiction designate right-hand lanes for
30 slow moving traffic and inside lanes for traffic moving at the speed
31 designated for the district as provided under this chapter, and when
32 the lanes are signposted or marked to give notice of the designation
33 a vehicle may be driven in any lane allocated to traffic moving in
34 the direction in which it is proceeding, but when traveling within
35 the inside lanes the vehicle shall be driven at approximately the
36 speed authorized in such lanes and speed shall not be decreased
37 unnecessarily so as to block, hinder or retard traffic.
 - 38 e. When such roadway had been divided in such a manner that
39 there are 3 or more lanes for traffic in any one direction, no truck
40 of 10,000 pounds registered gross weight or over shall be driven in
41 the farthest left-hand lane, except when and to the extent necessary
42 to prepare for a left turn, or when necessary to enter or leave such

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ALP committee amendments adopted December 13, 2012.

²Assembly floor amendments adopted June 20, 2013.

1 roadway by entrance or exit to or from the left lane or when
2 reasonably necessary in response to emergency conditions.

3 f. The penalty for violation of this section shall be a fine of not
4 less than \$100 or more than \$300. The State Treasurer shall
5 annually deposit \$50 of each fine collected from the fines imposed
6 pursuant to this section into the fund established pursuant to section
7 2 of P.L. , c. (C.) (pending before the Legislature as this
8 bill).

9 (cf: P.L.1968, c.432, s.1)]¹

10

11 ²1. R.S.39:4-88 is amended to read as follows:

12 When a roadway has been divided into clearly marked lanes for
13 traffic, drivers of vehicles shall obey the following regulations:

14 a. A vehicle shall normally be driven in the lane nearest the
15 right-hand edge or curb of the roadway when that lane is available
16 for travel, except when overtaking another vehicle or in preparation
17 for a left turn.

18 b. A vehicle shall be driven as nearly as practicable entirely
19 within a single lane and shall not be moved from that lane until the
20 driver has first ascertained that the movement can be made with
21 safety.

22 c. Upon a highway which is divided into 3 lanes, a vehicle
23 shall not be driven in the center lane except when overtaking or
24 passing another vehicle or in preparation for a left turn or unless the
25 center lane is at the time allocated for traffic moving in the
26 direction the vehicle is proceeding and is signposted to give notice
27 of that allocation.

28 d. The State Highway Commissioner may by regulation or
29 local authorities may by resolution or ordinance with respect to
30 highways under their jurisdiction designate right-hand lanes for
31 slow moving traffic and inside lanes for traffic moving at the speed
32 designated for the district as provided under this chapter, and when
33 the lanes are signposted or marked to give notice of the designation
34 a vehicle may be driven in any lane allocated to traffic moving in
35 the direction in which it is proceeding, but when traveling within
36 the inside lanes the vehicle shall be driven at approximately the
37 speed authorized in such lanes and speed shall not be decreased
38 unnecessarily so as to block, hinder or retard traffic.

39 e. When such roadway had been divided in such a manner that
40 there are **[3]** three or more lanes for traffic in any one direction, no
41 truck of 10,000 pounds registered gross weight or over shall be
42 driven in the farthest left-hand lane, except :

43 (1) when and to the extent necessary to prepare for a left turn [
44 or] ; a truck may be driven in the farthest left lane for up to one
45 mile to prepare for a left hand turn as authorized under this
46 paragraph;

1 (2) when necessary to enter or leave such roadway by entrance
2 or exit to or from the left lane **【or】** ; a truck may be driven in the
3 farthest left lane for up to one mile to prepare to enter or leave the
4 roadway as authorized under this paragraph;

5 (3) when reasonably necessary in response to emergency
6 conditions; for the purposes of this paragraph, “emergency
7 conditions” shall include, but not be limited to: poor visibility,
8 snow, accidents, or the presence of emergency vehicles.²

9 (cf: P.L.1968, c.432, s.1)

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11 ²**【1.】** 2.² The penalty for a violation of failing to keep right
12 under R.S.39:4-82 or failure to observe traffic lanes under R.S.
13 39:4-88 shall be a fine of not less than \$100 or more than \$300. In
14 addition to any fine that may be imposed, a surcharge of \$50 shall
15 be imposed on each person found guilty of a violation of R.S.39:4-
16 82 or R.S.39:4-88. The State Treasurer shall annually deposit the
17 surcharge into the fund established pursuant to section 2 of P.L. ,
18 c. (C.) (pending before the Legislature as this bill).¹

19

20 ¹**【2.** (New section) There is created within the New Jersey
21 Department of Treasury, a separate, non-lapsing fund. Of the total
22 collected for each violation of R.S.39:4-88, \$50 shall be deposited
23 in the fund. Unless otherwise specifically provided by law, monies
24 in the fund shall be utilized exclusively to acquire, install, and
25 maintain highway signs that notify motorists entering New Jersey to
26 comply with the provisions of R.S.39:4-88.**】**¹

27

28 ²**【2.】** 3.² There is created within the Department of the
29 Treasury, a separate, non-lapsing fund that shall be administered by
30 the Department of Transportation. The fund shall be the repository
31 for the \$50 surcharge imposed for each violation of R.S.39:4-82 and
32 R.S. 39:4-88. Unless otherwise specifically provided by law,
33 monies in the fund shall be utilized exclusively to acquire, install,
34 and maintain highway signs that notify motorists entering New
35 Jersey to comply with the provisions of R.S.39:4-82 and R.S.39:4-
36 88.¹

37

38 ²**【3.】** 4.² This act shall take effect immediately.