

ASSEMBLY, No. 4222

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 21, 2018

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

SYNOPSIS

“Swift Access For Emergency Response Actions Preservation Program (SAFER APP)”; authorizes Attorney General to order turn-by-turn navigation systems to reroute vehicular traffic under certain conditions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2018)

1 AN ACT concerning turn-by-turn navigation systems and
2 supplementing Title 39 of the Revised Statutes.

3

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

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7 1. This act shall be known and may be cited as the “Swift
8 Access For Emergency Response Actions Preservation Program
9 (SAFER APP).”

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11 2. As used in P.L. , c. (C.) (pending before the
12 Legislature as this bill):

13 “Emergency condition” means excessive vehicular traffic that
14 poses a public safety hazard, including, but not limited to: sustained
15 congestion on highways, streets, and roadways; emergency vehicle
16 dispatch delays; or a demonstrable history of vehicular and
17 pedestrian accidents.

18 “Turn-by-turn navigation system” means a software program or
19 online application on a device that uses global positioning system
20 technology to provide a driver with voice-guided or visual
21 instructions on how to arrive at a destination using a motor vehicle.

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23 3. a. The governing body of a municipality may adopt a
24 resolution requesting the Attorney General to investigate whether
25 use of turn-by-turn navigation systems by drivers creates an
26 emergency condition within the municipality, which, after adoption,
27 shall be subject to the review of the Commissioner of
28 Transportation, according to law. The commissioner shall approve
29 or disapprove the resolution within 90 days of the date the
30 governing body of a municipality submits the resolution to the
31 commissioner. If the commissioner disapproves the resolution, the
32 commissioner shall describe in writing the reasoning of the
33 disapproval to the governing body of the municipality.

34 b. Upon the approval of the resolution by the commissioner,
35 the Attorney General shall, in consultation with the commissioner
36 and the governing body of the municipality, investigate the traffic
37 conditions described in the resolution to determine whether an
38 emergency condition exists and shall share the results of the
39 investigation with the governing body of the municipality. If the
40 Attorney General determines an emergency condition exists, the
41 Attorney General shall notify, electronically and in writing, any
42 person, business, or other entity having ownership or control of a
43 turn-by-turn navigation system of the emergency condition and
44 shall order the person, business, or other entity, when providing
45 instructions to a driver, to detour, reroute, or divert vehicular traffic
46 to remove the emergency condition, in accordance with section 1 of
47 P.L.1950, c.70 (C.39:4-213).

1 4. Any person, business, or other entity having ownership or
2 control of a turn-by-turn navigation system that fails to detour,
3 reroute, or divert vehicular traffic to remove the emergency
4 condition after being notified of the emergency condition by the
5 Attorney General shall be subject to a fine of not more than \$5,000
6 per day, which may be collected in a summary proceeding pursuant
7 to "The Penalty Enforcement Law of 1999," P.L.1999, c.274
8 (C.2A:58-10 et seq.), and which shall be paid to the affected
9 municipality, until the person, business, or other entity complies
10 with the order of the Attorney General.

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12 5. This act shall take effect immediately.

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STATEMENT

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17 This bill establishes the "Swift Access For Emergency Response
18 Actions Preservation Program (SAFER APP)." Under the bill, the
19 governing body of a municipality may adopt a resolution requesting
20 the Attorney General to investigate whether use of turn-by-turn
21 navigation systems by drivers creates an emergency condition
22 within the municipality, which is to be subject to the approval of the
23 Commissioner of Transportation (commissioner). The
24 commissioner is to approve or disapprove the resolution within 90
25 days of the date the governing body of a municipality submits the
26 resolution to the commissioner. If the commissioner disapproves the
27 resolution, the commissioner is to describe in writing the reasoning
28 of the disapproval to the governing body of the municipality.

29

30 Upon the approval of the resolution by the commissioner, this
31 bill provides that the the Attorney General, in consultation with the
32 commissioner and the governing body of the municipality, is to
33 investigate the traffic conditions described in the resolution to
34 determine whether an emergency condition exists. The Attorney
35 General is to share the results of the investigation with the
36 governing body of the municipality. If the Attorney General
37 determines an emergency condition exists, the bill authorizes the
38 Attorney General to notify, electronically and in writing, any
39 person, business, or other entity having ownership or control of a
40 turn-by-turn navigation system of the emergency condition and the
41 Attorney General is to order the person, business, or other entity,
42 when providing instructions to a driver, to detour, reroute, or divert
43 vehicular traffic to remove the emergency condition.

43

44 The bill provides that any person, business, or other entity
45 having ownership or control of a turn-by-turn navigation system
46 that fails to detour, reroute, or divert vehicular traffic to remove the
47 emergency condition after being notified by the Attorney General is
48 to be subject to a fine of not more than \$5,000 per day, which is to
49 be paid to the affected municipality, until the person, business, or
other entity complies with the order.