

# ASSEMBLY, No. 3119

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**  
**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblyman Spearman**

**SYNOPSIS**

Clarifies that law enforcement officers appointed by educational institutions and NJT are entitled to certain statutory rights and privileges.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/8/2023)**

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1 AN ACT concerning law enforcement and amending P.L.1970, c.211  
2 and P.L.1989, c.291

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

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7 1. Section 1 of P.L.1970, c. 211 (C.18A:6-4.2) is amended to  
8 read as follows:

9 The governing body of any institution of higher education,  
10 academy, school or other institution of learning may appoint such  
11 persons as the governing body may designate to act as **[policemen]**  
12 law enforcement officers for the institution. A law enforcement  
13 officer appointed pursuant to this section shall be entitled to the  
14 rights and privileges afforded to municipal law enforcement officers  
15 pursuant to the provisions of chapter 14 of Title 40A of the New  
16 Jersey Statutes.

17 (cf: P.L.1970, c.211, s.1)

18

19 2. Section 2 of P.L.1989, c.291 (C.27:25-15.1) is amended to  
20 read as follows:

21 2. a. There is established in the New Jersey Transit  
22 Corporation a New Jersey Transit Police Department, which shall  
23 be headed by a chief of police. This police department shall have  
24 police and security responsibilities over all locations and services  
25 owned, operated, or managed by the corporation and its  
26 subsidiaries. The executive director of the New Jersey Transit  
27 Corporation, through the chief of police of the New Jersey Transit  
28 Police Department, shall have the power and authority to appoint  
29 and employ such number of transit police officers as he deems  
30 necessary to act as transit police officers of the corporation and to  
31 administer to the transit police officers an oath or affirmation  
32 faithfully to perform the duties of their respective positions or  
33 offices. The transit police officers so appointed shall have general  
34 authority, without limitation, to exercise police powers and duties,  
35 as provided by law for police officers and law enforcement officers,  
36 in all criminal and traffic matters at all times throughout the State  
37 and, in addition, to enforce such rules and regulations as the  
38 corporation shall adopt and deem appropriate. Nothing herein shall  
39 confer upon the transit police officers so appointed or upon their  
40 collective negotiations representative, exclusive jurisdiction or  
41 claim over the exercise of police power or security work on behalf  
42 of the corporation or any of its subsidiaries. Nothing herein shall  
43 limit the executive director from continuing to call upon local  
44 police for police services. The members of the New Jersey Transit  
45 Police Department shall comply with all policies established by the  
46 Attorney General, including rules and regulations, directives,

**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 advisory opinions, and other guidelines, unless those policies are  
2 inconsistent with federal laws, regulations, directives, advisory  
3 opinions, or other guidelines relating to drug and alcohol testing,  
4 alcohol misuse, or prohibited drug use applicable to the New Jersey  
5 Transit Police Department. Transit police officers appointed  
6 pursuant to this section shall be entitled to the rights and privileges  
7 afforded to municipal law enforcement officers pursuant to the  
8 provisions of chapter 14 of Title 40A of the New Jersey Statutes.

9 The executive director, through the chief of police of the New  
10 Jersey Transit Police Department, shall, in accordance with  
11 procedures established by the Superintendent of State Police,  
12 investigate and determine the character, competency, integrity and  
13 fitness of any person making application for appointment as a  
14 police officer. The New Jersey Transit Police Department is  
15 authorized to exchange fingerprint data and receive criminal history  
16 record information from the State Bureau of Identification in the  
17 Division of State Police and the Federal Bureau of Investigation,  
18 Identification Division, for use in making this determination.

19 b. Rail police officers of the New Jersey Transit Rail  
20 Operations Police Department who are employed by the corporation  
21 on the effective date of this 1991 amendatory and supplementary act  
22 shall continue in employment, and shall be appointed as transit  
23 police officers of the corporation. The corporation shall recognize  
24 any representative previously chosen by these police officers for the  
25 purposes of collective negotiations consistent with the bargaining  
26 units already established. The corporation shall also assume and  
27 observe any existing labor contracts covering these police officers  
28 for their remaining term; provided however, that the terms and  
29 conditions of these labor contracts are within the scope of  
30 negotiations as defined by the Public Employment Relations  
31 Commission under the "New Jersey Employer-Employee Relations  
32 Act," P.L.1941, c.100 (C.34:13A-1 et seq.).

33 c. Transit police officers appointed pursuant to this section  
34 shall satisfy the training requirements established by the Police  
35 Training Commission as follows:

36 (1) All officers appointed pursuant to this section after the  
37 effective date of this 1989 amendatory and supplementary act shall  
38 successfully complete, within one year of the date of their  
39 appointment, a training course approved by the Police Training  
40 Commission;

41 (2) All officers appointed and in employment on the effective  
42 date of this 1989 amendatory and supplementary act may continue  
43 in employment if, within 18 months of the effective date of this  
44 1991 amendatory and supplementary act, they have satisfied the  
45 training requirements of the Police Training Commission;

46 (3) The executive director, through the chief of police of the  
47 New Jersey Transit Police Department, may request from the Police  
48 Training Commission an exemption from all or part of the training

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1 requirements of this subsection on behalf of a current or prospective  
2 officer who demonstrates successful completion of a police training  
3 course conducted by any federal, state or other public or private  
4 agency, the requirements of which are substantially equivalent to  
5 the requirements of the Police Training Commission.

6 d. Transit police officers shall qualify for an exemption from  
7 the provisions of N.J.S.2C:39-5 if they satisfactorily complete a  
8 firearms training course approved by the Police Training  
9 Commission.

10 (cf: P.L.2018, c.162, s.15)

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12 3. This act shall take effect immediately.

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**STATEMENT**

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17 This bill clarifies that law enforcement officers appointed by an  
18 educational institution and the New Jersey Transit Corporation are  
19 entitled to the rights and privileges afforded to municipal law  
20 enforcement officers pursuant to the applicable provisions of  
21 chapter 14 of Title 40A of the New Jersey Statutes.

22 The provisions of chapter 14 of Title 40A of the New Jersey  
23 Statutes, in part, govern municipal law enforcement officers. This  
24 bill clarifies that law enforcement officers appointed by educational  
25 institutions and the New Jersey Transit Corporation also are entitled  
26 to the rights and privileges afforded to municipal law enforcement  
27 officers.