

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 3811

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JULY 3, 2023

SUMMARY

- Synopsis:** Requires geotechnical testing and certain monitoring of transportation projects.
- Type of Impact:** Annual increase in State expenditures; potential annual local expenditure and revenue increases.
- Agencies Affected:** Department of Transportation, Counties, and Municipalities.

Office of Legislative Services Estimate

| Fiscal Impact | <u>Annual</u> |
|---|----------------------|
| State Expenditure Increase | Indeterminate |
| Potential Local Expenditure Increase | Indeterminate |
| Potential Local Revenue increase | Indeterminate |

- The Office of Legislative Service (OLS) concludes that the bill will result in increased annual expenses for the Department of Transportation, as well as certain counties and municipalities that sponsor major transportation projects, to conduct the required ongoing geotechnical testing and monitoring for those transportation projects.
- These requirements would apply to major transportation projects, which include projects funded in whole or in part by State resources, including those of the Transportation Trust Fund Authority, and that have an estimated completion date of not less than three years after the date on which the final design phase of the project commenced. Accordingly, the OLS notes that local government sponsors of major transportation projects may receive State transportation funding through the Annual Transportation Capital Program for the geotechnical testing and monitoring.

BILL DESCRIPTION

This bill requires a geotechnical engineer to provide an expert recommendation concerning the type and frequency of geotechnical tests needed for major transportation projects. The recommended type and frequency of testing is to be included in the construction contracts of the project and are to be completed during the construction phase of the project. The geotechnical engineer is to be retained by the entity that solicits bids for a major transportation project. The bill defines a “major transportation project” to mean a transportation project that is funded in whole or in part by State resources, including those of the Transportation Trust Fund Authority, and that has an estimated project completion date not less than three years after the date on which the final design phase of the project commenced.

The bill requires groundwater testing to have occurred within 180 days of the date primary construction begins for any major transportation project that requires groundwater testing. Groundwater monitoring is required to continue if the site conditions warrant more frequent testing, as determined by the geotechnical engineer.

Under the bill, data is to be collected concerning the shifting and settling of the major transportation project. The shifting and settling is to be monitored and compared against the levels of shifting and settling deemed acceptable by the project’s design documents. If the shifting and settling is greater than that deemed acceptable by the design documents, advanced monitoring is to be completed, as determined by the Department of Transportation.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

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Section: Authorities, Utilities, Transportation and Communications

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).