

[First Reprint]

ASSEMBLY, No. 3811

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 2, 2022

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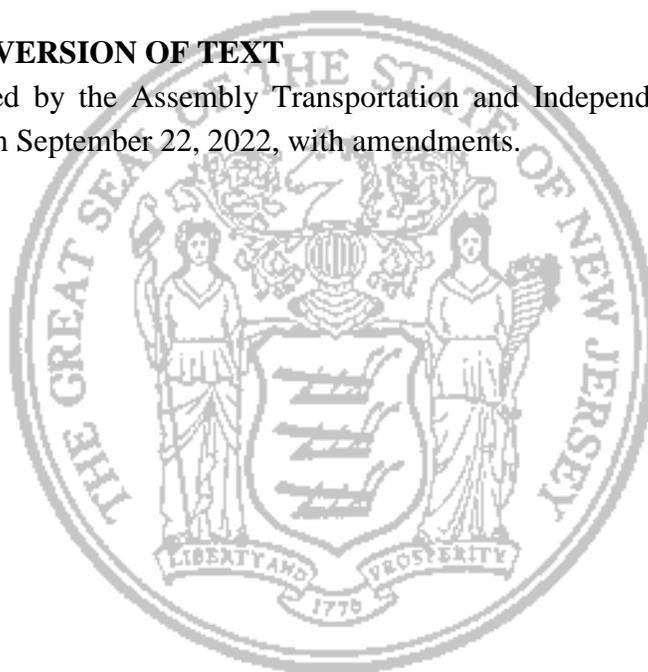
Assemblymen Thomson and Spearman

SYNOPSIS

Requires geotechnical testing and certain monitoring of transportation projects.

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on September 22, 2022, with amendments.



(Sponsorship Updated As Of: 9/22/2022)

1 AN ACT concerning certain testing and monitoring of transportation
2 capital projects and supplementing Title 27 of the Revised
3 Statutes.

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

7
8 1. a. Notwithstanding any law, rule, or regulation to the contrary,
9 for any transportation project funded in whole or in part by State
10 resources, including those of the Transportation Trust Fund Authority,
11 a geotechnical engineer shall provide expert recommendations during
12 the final design phase of the transportation project concerning the type
13 and frequency of geotechnical testing, including subsequent
14 monitoring as needed, that shall be required for such transportation
15 project. The recommendations of the geotechnical engineer shall be
16 based upon the type of transportation project and the site conditions of
17 such project. The recommended type and frequency of testing made
18 by a geotechnical engineer pursuant to this subsection shall be
19 included as a requirement in the construction contracts for the
20 transportation project. During the construction phase of the
21 transportation project, all geotechnical testing recommended by the
22 geotechnical engineer, including the frequency of testing, shall be
23 completed.

24 b. Primary construction of a transportation project that is funded in
25 whole or in part by State resources, including those of the
26 Transportation Trust Fund Authority, which requires groundwater
27 testing at the project site, shall not commence unless the groundwater
28 test occurred within 180 days of the start of primary construction.
29 Groundwater monitoring shall continue, thereafter, if the site
30 conditions of the transportation project warrant more frequent
31 groundwater testing, as determined by the geotechnical engineer.

32 c. During primary construction of each transportation project
33 funded in whole or in part by State resources, including those of the
34 Transportation Trust Fund Authority, and for a period of time after
35 construction is complete, as determined by the Commissioner of
36 Transportation, data concerning the shifting and settling of the
37 transportation project shall be collected and any shifting and settling of
38 the transportation project shall be monitored. The data collected shall
39 be compared against the levels of shifting and settling deemed
40 acceptable by the design documents of the transportation project. If
41 the shifting and settling exceeds the limits deemed acceptable by the
42 design documents, advanced monitoring of the shifting and settling of
43 the transportation project shall be completed, as determined by the
44 Commissioner of Transportation.

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 ATR committee amendments adopted September 22, 2022.

- 1 d. The Department of Transportation shall comply with all internal
2 standards, manuals, procedures, and design documents and shall not
3 waive any of the standards and procedures provided in these
4 documents, including the standards and procedures that relate to
5 subsurface data.
- 6 ¹e. Nothing in this section shall be construed to circumvent or
7 supersede existing professional practice laws.¹
- 8
- 9 2. This act shall take effect 180 days following the date of
10 enactment.