

ASSEMBLY, No. 4797

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED OCTOBER 20, 2022

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblymen Wimberly, McGuckin, DePhillips, Kennedy and Spearman

SYNOPSIS

Increases percentage of reclaimed asphalt pavement that can be used for local road projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/19/2023)

1 AN ACT concerning the use of reclaimed asphalt pavement for local
2 road projects, amending P.L.2002, c.114, and supplementing
3 Title 40A of the New Jersey Statutes.

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

7
8 1. (New section) a. Notwithstanding any law, rule, or
9 regulation to the contrary, when entering into a contract for a local
10 road project, the local contracting unit, as defined in and subject to
11 the provisions of the “Local Public Contracts Law,” P.L.1971, c.198
12 (C.40A:11-1 et seq.), shall, at a minimum, authorize the contracted
13 party to use recycled asphalt pavement constituting a maximum of
14 50 percent, by weight, of the total pavement mixture for base and
15 intermediate pavement courses, and a maximum of 35 percent, by
16 weight, of the total pavement mixture for surface pavement courses.

17 b. Nothing in this section shall be deemed to prohibit a local
18 contracting unit from electing, in its discretion, to allow a party
19 contracted for the purposes of a local road project to use recycled
20 asphalt pavement, for the purposes of the project, at higher
21 maximum percentage rates than the rates established pursuant to
22 this section.

23 c. As used in this section, “local road project” means a
24 transportation infrastructure project that is authorized by a county
25 or municipality and involves the construction, repair, renovation,
26 restoration, replacement, or extension of a highway, as defined by
27 R.S.39:1-1, which is owned, controlled, or maintained by the
28 county or municipality.

29
30 2. Section 1 of P.L.2002, c.113 (C.27:1B-25.2) is amended to
31 read as follows:

32 1. Notwithstanding any law, rule, or regulation to the contrary,
33 counties and municipalities receiving State funds for transportation
34 projects shall permit, for public highways under their jurisdiction,
35 the use of reclaimed asphalt pavement that constitutes a maximum
36 of **[25]** 50 percent, by weight, of the total pavement mixture for
37 base and intermediate pavement courses and a maximum of **[15]** 35
38 percent, by weight, of the total pavement mixture for surface
39 pavement courses.

40 (cf: P.L.2002, c.113, s.1)

41
42 3. This act shall take effect immediately.

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.

STATEMENT

This bill would increase the percentage of reclaimed asphalt pavement (RAP) that can be used for local road projects.

Current law requires counties and municipalities receiving State funds for transportation projects to permit, for public highways under their jurisdiction, the use of a maximum of 25 percent of RAP, by weight, for base and intermediate pavement courses and the use of a maximum of 15 percent of RAP, by weight, for surface pavement courses. This bill would increase, to 50 percent, the maximum amount of RAP that can be used for base and intermediate pavement courses, and to 35 percent, the maximum amount of RAP that can be used in surface pavement courses, for these purposes. The bill would also supplement the “Local Public Contracts Law” to similarly require local contracting units, at a minimum, when entering into a contract for a local road project, to allow the contracted party to use of up to 50 percent RAP, by weight, for base and intermediate pavement courses, and up to 35 percent RAP, by weight, for surface pavement courses. However, nothing would prohibit a local contracting unit, in its discretion, from entering a contract that authorizes RAP to be used at higher percentage rates, for a local road project, than the maximum rates required under the bill. The bill defines a “local road project” to mean a transportation infrastructure project that is authorized by a county or municipality and involves the construction, repair, renovation, restoration, replacement, or extension of a highway, as defined by R.S.39:1-1, which is owned, controlled, or maintained by the county or municipality.