

[First Reprint]

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)

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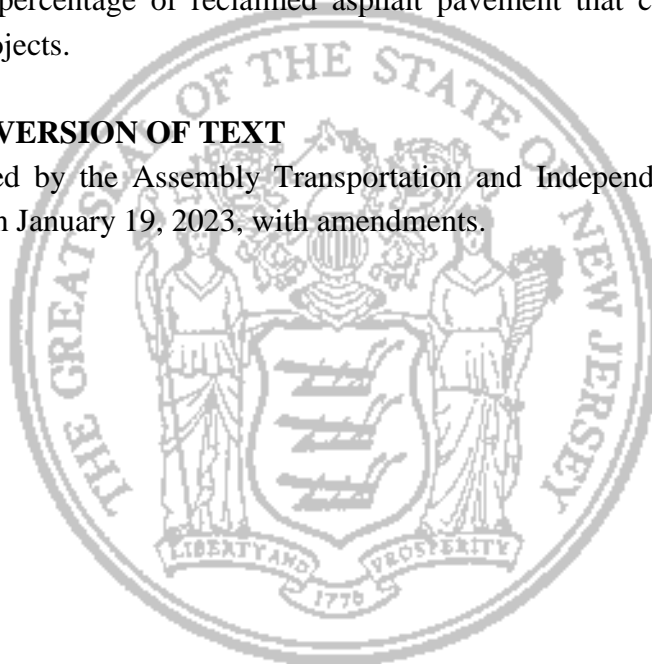
**Assemblymen Wimberly, McGuckin, DePhillips, Kennedy, Spearman,
Torrissi, Assemblywomen Lopez, Speight, Assemblymen Wirths, Space,
Assemblywomen Eulner, Piperno, Swain and Assemblyman Clifton**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Transportation and Independent Authorities Committee on January 19, 2023, with amendments.



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

1 AN ACT concerning the use of reclaimed asphalt pavement for local
 2 road projects, amending P.L.2002, ¹**[c.114]** c.113¹, and
 3 supplementing 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 regulation to
 9 the contrary, when entering into a contract for a local road project, the
 10 local contracting unit, as defined in and subject to the provisions of the
 11 “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.),
 12 shall, at a minimum, authorize the contracted party to use ¹**[recycled]**
 13 reclaimed¹ asphalt pavement constituting a maximum of 50 percent,
 14 by weight, of the total pavement mixture for base and intermediate
 15 pavement courses, and a maximum of 35 percent, by weight, of the
 16 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 ¹**[recycled]**
 20 reclaimed¹ asphalt pavement, for the purposes of the project, at higher
 21 maximum percentage rates than the rates established pursuant to this
 22 section.

23 ¹c. All reclaimed asphalt pavement used pursuant to this section
 24 shall consist of only materials, mixtures, binders, and aggregates that
 25 have been approved under current New Jersey Department of
 26 Transportation standard specifications.¹

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

33
 34 2. Section 1 of P.L.2002, c.113 (C.27:1B-25.2) is amended to
 35 read as follows:

36 1. Notwithstanding any law, rule, or regulation to the contrary,
 37 counties and municipalities receiving State funds for transportation
 38 projects shall permit, for public highways under their jurisdiction, the
 39 use of reclaimed asphalt pavement that constitutes a maximum of **[25]**
 40 50 percent, by weight, of the total pavement mixture for base and
 41 intermediate pavement courses and a maximum of **[15]** 35 percent, by
 42 weight, of the total pavement mixture for surface pavement courses.

43 ¹All reclaimed asphalt pavement used pursuant to this section shall

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 January 19, 2023.

1 consist of only materials, mixtures, binders, and aggregates that have
2 been approved under current New Jersey Department of
3 Transportation standard specifications.¹

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

5

6 3. This act shall take effect ¹**【immediately】** on the first day of the
7 sixth month after enactment¹.