

# ASSEMBLY, No. 2596

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblymen McGuckin, Wimberly, Kanitra, Inganamort and**

**Assemblywoman Carter**

**SYNOPSIS**

Requires DOT to provide additional information in annual report on pavement condition and conduct pavement lifecycle cost analysis; make report available to public.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 10/21/2024)**

1 AN ACT requiring the Department of Transportation to provide  
2 additional information concerning the condition of pavements in  
3 the State and pothole repair and amending P.L.2000, c.73.  
4

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

7  
8 1. Section 11 of P.L.2000, c.73 (C.27:1B-21.24) is amended to  
9 read as follows:

10 11. The commissioner shall issue a report to the Governor and,  
11 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the  
12 Legislature at the end of each fiscal year containing the numerical  
13 ranking of pavements for roads needing maintenance and repair in  
14 accordance with the method developed in section 10 of **[this act]**  
15 P.L.2000, c.73 (C.27:1B-21.23). The report shall also identify the  
16 repair and maintenance projects that were completed during the  
17 fiscal year, including the number of pothole repair projects, provide  
18 an estimate of the cost impact to the department for each  
19 maintenance and repair project, including pothole repair projects,  
20 that utilized road surface material or other road treatment, identify  
21 the resources the department has allocated for each maintenance  
22 and repair project, including pothole repair projects, and provide an  
23 estimate for the timeframe to conduct each maintenance and repair  
24 project, including the response times to conduct emergency pothole  
25 repair projects.

26 The report issued pursuant to this section shall also be made  
27 available to the public on the department's internet website.

28 (cf: P.L.2000, c.73, s.11)  
29

30 2. Section 12 of P.L.2000, c.73 (C.27:1B-21.25) is amended to  
31 read as follows:

32 12. a. The commissioner shall conduct a life cycle cost analysis  
33 of pavement surfaces and report the findings of the analysis to the  
34 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-  
35 19.1), to the Legislature no later than one year after the date of  
36 enactment of **[this act]** P.L.2000, c.73 (C.27:1B-21.14 et al.). The  
37 analysis shall compare equivalent designs and shall be based upon  
38 New Jersey's actual historic project maintenance, repair, and  
39 resurfacing schedules and costs as recorded by the Department of  
40 Transportation, and shall include estimates of user costs throughout  
41 the entire life of the pavement.

42 b. The commissioner shall conduct a life cycle cost analysis of  
43 pavement surfaces and report the findings of the analysis to the  
44 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-  
45 19.1), to the Legislature no later than one year after the date of

**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 enactment of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending before the  
2 Legislature as this bill). The analysis shall compare equivalent  
3 designs and shall be based upon New Jersey's actual historic project  
4 maintenance, repair, and resurfacing schedules and costs as  
5 recorded by the Department of Transportation, and shall include  
6 estimates of costs to users of State roadways throughout the entire  
7 life of the pavement, including the number of pothole damage  
8 claims filed by users of State roadways and the associated costs of  
9 damages as recorded by the Division of Risk Management within  
10 the Department of the Treasury.

11 The report issued pursuant to this section shall also be made  
12 available to the public on the department's internet website.

13 As used in this section, "life cycle cost" means the total cost of  
14 the initial project and all anticipated costs for subsequent  
15 maintenance, repair, or resurfacing, which may also include  
16 external costs imposed upon users of the project as result of use of  
17 the project, over the life of the pavement.

18 (cf: P.L.2000, c.73, s.12)

19

20 3. This act shall take effect immediately but shall remain  
21 inoperative until the first fiscal year following enactment and shall  
22 apply to all reports issued after that fiscal year.

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#### STATEMENT

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27 This bill requires the Department of Transportation (department)  
28 to include, in the annual "Report to the Governor and Legislature on  
29 New Jersey's Roadway Pavement System" (annual report),  
30 additional information on pothole repairs.

31 Under the bill, the department is required to, in addition to  
32 identifying the repair and maintenance projects that were completed  
33 during the foregoing fiscal year and the cost of each project,  
34 identify the number of pothole repair projects and the cost of  
35 pothole repair projects, identify the resources the department has  
36 allocated for each maintenance and repair project, and provide an  
37 estimate for the timeframe to conduct each maintenance and repair  
38 project, including the response times for emergency pothole repair  
39 projects, in the annual report.

40 The department is also required to conduct a lifecycle cost  
41 analysis of the pavement surfaces which includes, the number of  
42 pothole damage claims filed by users of State roadways and the  
43 associated costs of damages to vehicles as recorded by the Division  
44 of Risk Management within the Department of the Treasury.

45 Lastly, the bill requires the annual report and the lifecycle cost  
46 analysis to be made available to the public on the department's  
47 internet website.