

[Second Reprint]

**ASSEMBLY, No. 649**

**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

**Sponsored by:**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman JOSEPH J. ROBERTS, JR.**

**District 5 (Camden and Gloucester)**

**Assemblyman JOSEPH VAS**

**District 19 (Middlesex)**

**Assemblyman BRIAN P. STACK**

**District 33 (Hudson)**

**Co-Sponsored by:**

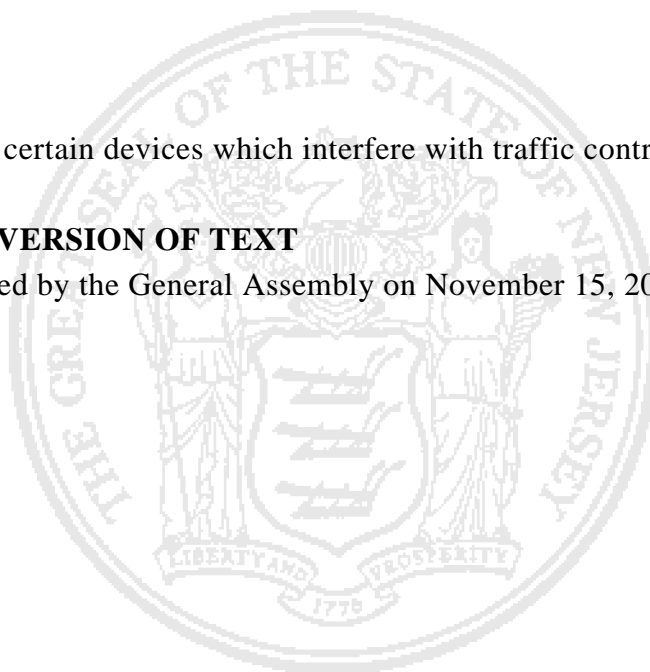
**Senators Sarlo and Palaia**

**SYNOPSIS**

Regulates certain devices which interfere with traffic control signals.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on November 15, 2004.



**(Sponsorship Updated As Of: 5/13/2005)**

1 AN ACT concerning the possession <sup>1</sup>[of any device which controls  
2 traffic signals] and use of certain devices which interfere with  
3 traffic control signals, amending N.J.S.2C:33-14<sup>1</sup> and  
4 supplementing <sup>1</sup>[Title 39 of the Revised Statutes] Title 2A of the  
5 New Jersey Statutes<sup>1</sup>.

6

7 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
8 *of New Jersey:*

9

10 <sup>1</sup>[1. a. As used in this section, "traffic control preemption device"  
11 means any infrared transmitter or other device designed to preempt an  
12 official traffic control device.

13 b. It shall be unlawful for any person to knowingly possess a traffic  
14 control preemption device.

15 c. The provisions of this section shall not apply to:

16 (1) Any dealer lawfully authorized to sell a traffic control  
17 preemption device;

18 (2) The operator of an authorized emergency vehicle; or

19 (3) Any other organization or person deemed appropriate by  
20 the administrator pursuant to rules and regulations promulgated in  
21 accordance with the "Administrative Procedure Act," P.L.1968, c.410  
22 (C.52:14B-1 et seq.).

23 d. Any person violating the provisions of this act shall be subject  
24 to a fine of \$5,000.]<sup>1</sup>

25

26 <sup>1</sup>1. N.J.S.2C:33-14 is amended to read as follows:

27 2C:33-14. a. Interference with Transportation. A person is guilty of  
28 interference with transportation if the person purposely or knowingly:

29 (1) casts, shoots or throws anything at, against or into any vehicle,  
30 railroad car, trolley car, subway car, ferry, airplane, or other facility of  
31 transportation; or

32 (2) casts, shoots, throws or otherwise places any stick, stone,  
33 object or other substance upon any street railway track, trolley track  
34 or railroad track ;or

35 (3) endangers or obstructs the safe operation of motor vehicles by  
36 casting, shooting, throwing or otherwise placing any stick, stone,  
37 object or other substance upon any highway or roadway; or

38 (4) unlawfully climbs into or upon any railroad car, either in  
39 motion or standing on the track of any railroad company in this State;

40 or

41 (5) unlawfully disrupts, delays or prevents the operation of any

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly ATR committee amendments adopted September 30, 2004.

<sup>2</sup> Assembly floor amendments adopted November 15, 2004.

1 train, bus, jitney, trolley, subway, airplane or any other facility of  
 2 transportation. The term "unlawfully disrupts, delays or prevents the  
 3 operation of" does not include non-violent conduct growing out of a  
 4 labor dispute as defined in N.J.S.2A:15-58; or

5 (6) endangers or obstructs the safe operation of motor vehicles by  
 6 using a traffic control preemption device to interfere with or impair the  
 7 operation of a traffic control signal as defined in R.S.39:1-1.

8 As used in this subsection, "traffic control preemption device"  
 9 means an infrared transmitter or other device which transmits an  
 10 infrared beam, radio wave or other signal designed to change, alter, or  
 11 disrupt in any manner the normal operation of a traffic control signal.

12 b. Interference with transportation is a disorderly persons offense.

13 c. Interference with transportation is a crime of the fourth degree  
 14 if the person purposely, knowingly or recklessly causes bodily injury  
 15 to another person or causes pecuniary loss in excess of \$500 but less  
 16 than \$2000.

17 d. Interference with transportation is a crime of the third degree  
 18 if the person purposely, knowingly or recklessly causes significant  
 19 bodily injury to another person or causes pecuniary loss of \$2000 or  
 20 more, or if the person purposely or knowingly creates a risk of  
 21 significant bodily injury to another person.

22 e. Interference with transportation is a crime of the second degree  
 23 if the person purposely, knowingly or recklessly causes serious bodily  
 24 injury to another person.<sup>1</sup>

25 (cf: P.L.2001, c.413, s.2)

26  
 27 <sup>1</sup>2. (New section) a. As used in this section:

28 "Traffic control preemption device" means an infrared transmitter  
 29 or other device which transmits an infrared beam, radio wave or other  
 30 signal designed to change, alter, or disrupt in any manner the normal  
 31 operation of a traffic control signal.

32 b. It shall be unlawful for any person to knowingly possess a traffic  
 33 control preemption device.

34 c. The provisions of this section shall not apply to <sup>2</sup>[any dealer  
 35 lawfully authorized to sell a traffic control preemption device, or  
 36 to](1)<sup>2</sup> emergency services personnel which shall include, but not be  
 37 limited to, any paid or volunteer fireman, any person engaged in  
 38 emergency first-aid or medical services and any law enforcement  
 39 officer, while in the actual performance of that person's official duties  
 40 <sup>2</sup>, or (2) an employee or agent of a traffic control preemption device  
 41 manufacturer or retailer in the course of his employment in providing,  
 42 selling, manufacturing, or transporting a traffic control preemption  
 43 device to emergency services personnel listed in this subsection<sup>2</sup>.

44 d. Any person violating the provisions of this section shall be  
 45 subject to a civil penalty of up to \$5,000. Any such civil penalty  
 46 imposed may be collected with costs in a summary proceeding

1 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274  
2 (C.2A:58-10 et seq.). The Superior Court and the municipal court  
3 shall have jurisdiction to enforce the provisions of the "Penalty  
4 Enforcement Law of 1999" in connection with this section.<sup>1</sup>

5

6 <sup>1</sup>[2.] 3.<sup>1</sup> This act shall take effect on the first day of the third  
7 month after enactment.