

CHAPTER 84

AN ACT concerning receipt of federal funds under the “New Jersey Highway Traffic Safety Act of 1987” and amending P.L.1987, c.284.

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

1. Section 3 of P.L.1987, c.284 (C.27:5F-20) is amended to read as follows:

C.27:5F-20 Definitions.

3. As used in this act:

- a. "State highway traffic safety program" means all highway traffic safety programs conducted by the State, political subdivisions of the State, and qualifying nonprofit organizations.

- b. "Local highway traffic safety program" means a highway traffic safety program established or submitted to the Governor by a political subdivision and qualifying nonprofit organizations pursuant to the provisions of this act.

- c. "Political subdivision" means any local political subdivision of this State, including but not limited to a municipality, a county, a township, a district, or a special district.

- d. "Governor" means the Governor of the State of New Jersey.

- e. "Director" shall mean the Director of the Office of Highway Traffic Safety of the State of New Jersey.

- f. "Volunteer first aid, rescue and ambulance squad" means a first aid, rescue and ambulance squad which provides emergency medical services without receiving payment for those services.

- g. "Nonvolunteer first aid, rescue and ambulance squad" means a first aid, rescue and ambulance squad which provides emergency medical services on a paid basis.

- h. "Nonprofit organization" means a nonprofit organization which provides services throughout the State and is tax exempt under section 501(c)(3) of the federal Internal Revenue Code (26 U.S.C. s.501(c)(3)), and is not a private foundation as defined in section 509(a) of the federal Internal Revenue Code (26 U.S.C. s.509(a)).

2. Section 4 of P.L.1987, c.284 (C.27:5F-21) is amended to read as follows:

C.27:5F-21 Coordination by Governor.

4. a. The Governor shall coordinate the highway traffic safety activities of State and local agencies, other public and private agencies, nonprofit organizations, and interested organizations and individuals and shall be the official of this State having the ultimate responsibility of dealing with the federal government with respect to the State highway traffic safety program. In order to effectuate the purposes of this act he shall:

- (1) Prepare for this State, the New Jersey Highway Traffic Safety Program which shall consist of a comprehensive plan in conformity with the laws of this State to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom.

- (2) Promulgate rules and regulations establishing standards and procedures relating to the content, coordination, submission, and approval of local highway traffic safety programs.

- (3) Contract and do all things necessary or convenient on behalf of the State in order to insure that all departments of State government, local political subdivisions and nonprofit organizations, to the extent that nonprofit organizations qualify for highway traffic safety grants pursuant to the provisions of section 12 of P.L.1987, c.284 (C.27:5F-29) as amended by section 6 of P.L.2007, c.84, secure the full benefits available under the "U.S. Highway

Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-404), and any acts amendatory or supplementary thereto.

(4) Adopt training programs, guidelines and standards for members of nonvolunteer first aid, rescue and ambulance squads providing emergency medical service programs.

b. The New Jersey Highway Traffic Safety Program, and rules and regulations, training programs, guidelines, and standards shall comply with uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-404), and any acts amendatory or supplementary thereto.

3. Section 6 of P.L.1987, c.284 (C.27:5F-23) is amended to read as follows:

C.27:5F-23 Qualification for federal funds.

6. A political subdivision or nonprofit organization shall qualify for receipt of federal funds upon application to the Governor, provided that:

a. The political subdivision or nonprofit organization submits to the Governor a local highway traffic safety program in accordance with and meeting the standards established and the rules and regulations promulgated pursuant to this act.

b. The political subdivision or nonprofit organization submits to the Governor any other information as may be required to carry out the purposes of this act.

4. Section 7 of P.L.1987, c.284 (C.27:5F-24) is amended to read as follows:

C.27:5F-24 Grants to Treasury Department.

7. The Department of the Treasury shall accept and receive any grants of money awarded to the State, its political subdivisions and nonprofit organizations under the "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-404), and acts amendatory or supplementary thereto. All moneys so received shall be deposited by the Department of the Treasury and shall be used exclusively for establishing, administering and fulfilling highway traffic safety programs pursuant to the provisions of this act. The money shall be paid from the fund or funds upon audit and warrant of the Director, Division of Budget and Accounting, on vouchers of or certification by the Governor.

5. Section 9 of P.L.1987, c.284 (C.27:5F-26) is amended to read as follows:

C.27:5F-26 Emergency medical service programs.

9. The Governor may also accept applications from political subdivisions and qualifying nonprofit organizations made on behalf of hospitals, volunteer and nonvolunteer first aid, rescue and ambulance squads, or other local entities serving a public purpose for grants of money to implement emergency medical service programs. A political subdivision or qualifying nonprofit organization shall submit all such applications to the Governor.

6. Section 12 of P.L.1987, c.284 (C.27:5F-29) is amended to read as follows:

C.27:5F-29 Office of Highway Traffic Safety.

12. a. There is hereby created an Office of Highway Traffic Safety in the Department of Law and Public Safety.

b. The office shall be under the immediate supervision of a director who shall be qualified to direct the work of the office. The director shall be appointed by, and serve at the pleasure of, the Governor.

c. The director shall:

(1) Administer the work of the office under the direction and supervision of the Governor and the Attorney General;

(2) Perform such functions, in addition to the work of the office, as the Governor may prescribe;

(3) Organize and reorganize the office;

(4) Assign and reassign personnel to employment within the office;

(5) Perform or cause to be performed the work of the office in the manner and pursuant to a program as he may deem necessary and appropriate;

(6) Employ as necessary the services of several departments and agencies, in a manner and to an extent as may be agreed upon by the chief executive officer of a department or agency and the Governor;

(7) Assist the localities in the development and formulation of local highway traffic safety programs;

(8) Receive and process applications from local agencies, State agencies, and nonprofit organizations for highway traffic safety project grants, provided that grants to qualifying nonprofit organizations shall be awarded only for programs approved by the director; the director shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), criteria by which a nonprofit organization shall qualify for award of grants including, but not limited to, the requirement that a nonprofit organization be operated primarily for scientific, educational, service, charitable or similar purposes in the public interest with a demonstrable record of conducting highway traffic programs and specifying the types of programs for which a nonprofit organization may be awarded a grant; and

(9) Cause to be made a periodic review of local highway traffic safety programs, including training programs of first aid, rescue and ambulance squads, to insure they comply with the standards, guidelines, rules and regulations provided for by this act.

7. This act shall take effect on the first day of the 10th month following enactment, except the Director of the Office of Highway Traffic Safety may take such anticipatory administrative action in advance thereof as may be necessary for the implementation of this act and nonprofit organizations shall be eligible for the award of grants beginning with the federal fiscal year 2008 program.

Approved May 4, 2007.