

CHAPTER 178

AN ACT concerning emergency management, supplementing chapter 9 of Appendix A, and amending P.L.1989, c.222.

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

C.App.A:9-43.8 Definitions relative to coastal evacuation.

1. For the purposes of this act:

“Alternative emergency power generator” means an electricity-generating installation system that operates to provide the electricity needs of a building or structure if the normal source of electricity is disrupted due to a power outage.

“Critical infrastructure” means all buildings or structures in the State that are indispensably necessary for national security, economic stability, and public safety.

“Director” means the Director of the State Office of Emergency Management in the Division of State Police.

“Emergency” means an emergency or local disaster emergency as defined in section 3 of P.L.1953, c. 438 (C.App.A:9-33.1).

“Lane reversal strategy” means an evacuation plan that reverses the flow of traffic in lanes that are normally configured for travel in one direction, resulting in all traffic traveling in the same direction on all lanes of a highway.

“Long term emergency shelter” means a building or structure in which a public entity or a private, nonprofit organization provides shelter for a period of time extending longer than six months to individuals and families who have been displaced from their homes due to an emergency.

“Special needs” means a physical or mental disability or medical care need of an individual who, after exhausting all other resources still needs assistance for evacuation or sheltering before, during, or after a disaster or emergency.

“Temporary emergency shelter” means a building or structure in which a public entity or a private, nonprofit organization provides shelter to individuals and families who have been displaced from their homes due to an emergency until that emergency has ceased.

C.App.A:9-43.9 Annual public awareness program.

2. a. The director shall develop and undertake an annual public awareness program to educate the public concerning the State’s plan to evacuate New Jersey’s coastal areas in a time of emergency. The program may incorporate the use of broadcast media, print media, the Internet, or any other available resources.

b. The program shall inform the public of:

(1) methods by which the State is to notify the public of the initiation of an emergency evacuation of a coastal area;

(2) appropriate evacuation routes;

(3) alternative methods of evacuation, other than that utilizing a personal motor vehicle;

(4) information concerning the preparation and storing of personal evacuation kits;

(5) appropriate supplies of food and potable water that individuals and families should have readily available; and

(6) information relating to the support of, and care for animals, particularly service animals and pets subject to a coastal evacuation; and

(7) any such other matters as the director shall deem appropriate and necessary.

c. In developing this plan, and in making any subsequent revisions, the director shall consult with the Emergency Management Offices of the affected counties and municipalities.

C.App.A:9-43.10 Appointment of commission.

3. a. The director, in consultation with the Department of Health and Senior Services, the Department of Community Affairs, and the Department of Human Services, shall appoint a commission comprised of experts from each department as well as experts from private nonprofit organizations, which shall include, but not be limited to, the American Red Cross, that shall be authorized to:

(1) identify appropriate elementary and secondary school buildings that may serve as adequate locations for temporary emergency shelter during an emergency; and

(2) identify specific locations that may serve as long term emergency shelters, during an emergency, for the benefit of individuals who have been displaced from their residence for an extended period of time as a result of that emergency or local disaster emergency.

b. Following the effective date of this act, all elementary and secondary school buildings to be newly constructed shall be evaluated during the planning or design phase and a determination shall be made considering all appropriate factors including, but not limited to, the suitability, necessity, and financial feasibility, as to whether that elementary or secondary school building may serve as a potential location for an emergency shelter during a declared state of emergency.

C.App.A:9-43.11 Duties of director.

4. The director shall:

a. ensure consistency among the evacuation plans and shelter plans of the State's coastal counties, and such other counties that the director determines may be affected by the evacuation of the coast in an emergency, and integrate those plans into a Statewide evacuation plan;

b. work in coordination with the county offices of emergency management to revise any evacuation or shelter plan that, upon review, proves to be inconsistent with the evacuation plans of other counties, or with the State Emergency Operations Plan Guidelines; and

c. consult with and seek the advice of private nonprofit organizations when implementing the provisions of this section, which shall include, but not be limited to, the American Red Cross.

C.App.A:9-43.12 Identification of critical infrastructures.

5. The director shall work in conjunction with the county emergency management coordinator in each county to locate and identify all critical infrastructures in the State that would need an alternative emergency power generator in the event of a Statewide emergency.

C.App.A:9-43.13 Central registry for residents with special needs.

6. a. Each county in the State may establish a central registry for residents with special needs who require additional assistance provided to them during an emergency. A central registry created pursuant to this section shall be maintained by each county office of emergency management, and shall be composed of information voluntarily provided by each registrant that includes, but is not limited to, the registrant's address, telephone number, and particular condition or assistance needs.

b. Each county that creates such a registry shall conduct a public awareness campaign, utilizing the Internet and any other available resources, to inform the general public of the importance of identifying and registering individuals with special needs prior to an emergency so that appropriate preparations may be made to ensure that these individuals

receive necessary assistance during an evacuation. Information collected for purposes of a central registry created pursuant to this section shall be used only by the county office of emergency management that collected the information to prepare for and provide assistance to residents with special needs in an emergency, and shall not otherwise be divulged or made publicly available; provided however, that the director may, at the director's discretion, access and obtain information from a central registry maintained by a county office of emergency management if the information is used directly and exclusively by the director to prepare an Emergency Operations Plan required pursuant to section 19 of P.L.1989, c.222 (C.App.A:9-43.2).

c. A central registry maintained by a county office of emergency management and any information contained therein, or accessed and obtained by the director in accordance with subsection b. of this section, shall not be included under materials available to public inspections pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

C.App.A:9-43.14 Implementation of lane reversal strategy.

7. a. The Division of State Police shall work in conjunction with the Department of Transportation and county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway and the Garden State Parkway in preparation for any emergency evacuation.

b. The operator of a motor vehicle shall not tow any trailer, semitrailer, or any other type of drawn or towed trailer, including a trailer transporting a boat, on a public highway located in an area where an emergency has been declared and any evacuation plan, including but not limited to a lane reversal strategy, is in effect. The operator of a motor vehicle who violates this prohibition may be charged with failure to obey signals, signs, or directions under emergency conditions with regard to the flow of vehicular traffic, and upon conviction thereof shall be subject to penalties for a violation of section 3 of P.L.1950, c.70 (C.39:4-215). This prohibition shall not apply to emergency vehicles.

8. Section 18 of P.L.1989, c.222 (C.App.A:9-43.1) is amended to read as follows:

C.App.A:9-43.1 State Emergency Operations Plan.

18. The State Office of Emergency Management shall adopt, no later than 12 months following the effective date of this act, a State Emergency Operations Plan, including rules, regulations, and guidelines, that shall be reviewed and updated at least every two years.

a. These plans shall include, but not be limited to, provisions which shall be developed in consultation with:

(1) the Department of Agriculture, to support the needs of animals and individuals with an animal under their care, including domestic livestock, a domesticated animal, or a service animal, in a major disaster or emergency; and

(2) the Department of Health and Senior Services, to provide for a coordinated Statewide evacuation strategy for all hospitals and other health care facilities in the State, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in the event of an emergency. The Statewide evacuation strategy shall be based on evacuation plans prepared pursuant to section 19 of P.L.1989, c. 222 (C.App.A:9-43.2) and submitted to the State Office of Emergency Management by each county and municipality in the State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-43.4).

b. Each plan shall include provisions that specifically address the need for the safe and timely evacuation of the families and dependents of the emergency responders rendering major disaster or emergency services.

c. In addition, the State Office of Emergency Management shall take appropriate steps to educate the public regarding the resources available in the event of an emergency and the importance of emergency preparedness planning.

9. Section 19 of P.L.1989, c.222 (C.App.A:9-43.2) is amended to read as follows:

C.App.A:9-43.2 County, municipal written emergency operations plans; coordination.

19. Each county and municipality in the State shall prepare a written Emergency Operations Plan with all appropriate annexes necessary to implement the plan. The development of all plans shall be coordinated with the Emergency Operations Plans of the State, county and neighboring municipalities to ensure a regional coordinated response and the efficient use of resources.

a. These plans shall include, but not be limited to, provisions which shall be developed in consultation with:

(1) the Department of Agriculture, to support the needs of animals and individuals with an animal under their care, including domestic livestock, a domesticated animal, or a service animal, in a major disaster or emergency; and

(2) the Department of Health and Senior Services to evaluate the evacuation procedures of hospitals and other health care facilities located in each county and municipality, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in the event of an emergency.

b. Each plan shall include provisions that specifically address the need for the safe and timely evacuation of the families and dependents of the emergency responders rendering major disaster or emergency services.

c. Each Emergency Operations Plan shall be adopted no later than one year after the State Emergency Planning Guidelines have been adopted by the State Office of Emergency Management and shall be evaluated at such subsequent scheduled review of the State Emergency Operations Plan.

10. This act shall take effect on the first day of the thirteenth month following enactment, but the Director of the State Office of Emergency Management may take such anticipatory administrative actions in advance thereof as shall be necessary for the implementation of this act.

Approved January 17, 2012.