

CHAPTER 130
(CORRECTED COPY)

AN ACT concerning highway-related sponsorship programs and supplementing Title 27 of the Revised Statutes.

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

C.27:7-44.18 Definitions.

1. As used in sections 1 through 3 of P.L.2013, c.130 (C.27:7-44.18 through C.27:7-44.20):

“Acknowledgement sign” means a sign that is intended to inform the traveling public that a highway-related service, product, or monetary contribution has been sponsored by a person, firm, or entity and which meets all design and placement guidelines for acknowledgement signs as established pursuant to the provisions of the Manual on Uniform Traffic Control Devices for Streets and Highways and all sign design principles provided in the federal Standard Highway Signs and Markings Book.

“Advertising sign” means a sign that is intended to promote commercial products or services through the use of slogans and information and informs the public on where to obtain the products or services.

“Department” means the Department of Transportation.

“Highway” means any street or roadway that is open to public travel and includes, but is not limited to, the street or roadway, shoulders, and sidewalks; the airspace above and below the street or roadway; areas for drainage, utilities, landscaping, berms, and fencing; and rest areas and service areas.

“Sponsorship agreement” means an agreement or contract between the department and a person, firm, or entity to be acknowledged for a highway-related service, product, or monetary contribution provided.

“Sponsorship program” means a program administered by the department, that complies with pertinent federal laws, rules, regulations, and orders, and allows a person, firm, or entity to sponsor department operational activities or other highway-related services or programs through the provision of a highway-related service, product, or monetary contribution.

C.27:7-44.19 Establishment of sponsorship program.

2. a. There is established in the department a sponsorship program to allow for private sponsorship of department operational activities or other highway-related services or programs.

b. The department shall adopt a policy on sponsorship agreements that is applicable to all highways within the State as is required by pertinent federal laws, rules, regulations, or orders to administer the program established pursuant to this section. The policy shall:

(1) include language requiring the department to terminate a sponsorship agreement if it determines the sponsorship agreement or acknowledgement sign present a safety concern, interferes with the free and safe flow of traffic, or is not in the public interest;

(2) describe the sponsors and sponsorship agreements that are acceptable and consistent with applicable State and federal laws;

(3) require that any monetary contribution received through the program be used solely for highway purposes;

(4) include a requirement that a person, firm, or entity shall comply with the State’s “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.) to be eligible to participate in the program; and

(5) be approved by the Federal Highway Administration's New Jersey Division Office.

c. Under the sponsorship program established pursuant to this section, the department may enter into a sponsorship agreement with a person, firm, or entity to receive a highway-related service, product, or monetary contribution in exchange for acknowledging the person, firm, or entity on an acknowledgement sign. A sponsorship agreement concerning any portion of the interstate highway system shall be subject to approval by the Federal Highway Administration.

d. Nothing in this section shall permit the use of or erection of any advertising sign as part of a sponsorship program authorized pursuant to P.L.2013, c.130 (C.27:7-44.18 et al.).

C.27:7-44.20 Rules or regulations.

3. The department shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules or regulations necessary to effectuate the purposes of sections 1 and 2 of P.L.2013, c.130 (C.27:7-44.18 and C.27:7-44.19).

C.27:23-55 Definitions.

4. As used in sections 4 through 6 of P.L.2013, c.130 (C.27:23-55 through C.27:23-57):

"Acknowledgement sign" means a sign that is intended to inform the traveling public that a highway-related service, product, or monetary contribution has been sponsored by a person, firm, or entity and which meets all design and placement guidelines for acknowledgement signs as established pursuant to the provisions of the Manual on Uniform Traffic Control Devices for Streets and Highways and all sign design principles provided in the federal Standard Highway Signs and Markings Book.

"Advertising sign" means a sign that is intended to promote commercial products or services through the use of slogans and information and informs the public on where to obtain the products or services.

"Authority" means the New Jersey Turnpike Authority established pursuant to P.L.1948, c.454 (C.27:23-1 et seq.).

"Highway" means the Garden State Parkway and the New Jersey Turnpike; their shoulders and sidewalks; the airspace above and below the Garden State Parkway and New Jersey Turnpike; areas for drainage, utilities, landscaping, berms, and fencing along the Garden State Parkway and New Jersey Turnpike; and any highway project as defined in section 4 of P.L.1948, c.454 (C.27:23-4).

"Sponsorship agreement" means an agreement or contract between the authority and a person, firm, or entity to be acknowledged for a highway-related service, product, or monetary contribution provided.

"Sponsorship program" means a program administered by the authority, that complies with pertinent federal laws, rules, regulations, and orders, and allows a person, firm, or entity to sponsor authority operational activities or other highway-related services or programs through the provision of a highway-related service, product, or monetary contribution.

C.27:23-56 Establishment of sponsorship program.

5. a. There is established in the authority a sponsorship program to allow for private sponsorship of authority operational activities or other highway-related services or programs.

b. The authority shall adopt a policy on sponsorship agreements consistent with pertinent federal laws, rules, regulations, and orders to administer the program established pursuant to this section. The policy shall:

(1) include language requiring the authority to terminate a sponsorship agreement if it determines the sponsorship agreement or acknowledgement sign present a safety concern, interferes with the free and safe flow of traffic, or is not in the public interest;

(2) describe the sponsors and sponsorship agreements that are acceptable and consistent with applicable State and federal laws;

(3) require that any monetary contribution received through the program be used solely for highway purposes;

(4) include a requirement that a person, firm, or entity shall comply with the State's "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.) to be eligible to participate in the program; and

(5) be approved by the Federal Highway Administration's New Jersey Division Office.

c. Under the sponsorship program established pursuant to this section, the authority may enter into a sponsorship agreement with a person, firm, or entity to receive a highway-related service, product, or monetary contribution in exchange for acknowledging the person, firm, or entity on an acknowledgement sign. A sponsorship agreement concerning any portion of the interstate highway system shall be subject to approval by the Federal Highway Administration.

d. Nothing in this section shall permit the use of or erection of any advertising sign as part of a sponsorship program authorized pursuant to P.L.2013, c.130 (C.27:7-44.18 et al.).

C.27:23-57 Rules or regulations.

6. The authority shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules or regulations necessary to effectuate the purposes of sections 4 and 5 of P.L.2013, c.130 (C.27:23-55 and C.27:23-56).

C.27:25A-46 Definitions.

7. As used in sections 7 through 9 of P.L.2013, c.130 (C.27:25A-46 through C.27:25A-48):

"Acknowledgement sign" means a sign that is intended to inform the traveling public that a highway-related service, product, or monetary contribution has been sponsored by a person, firm, or entity and which meets all design and placement guidelines for acknowledgement signs as established pursuant to the provisions of the Manual on Uniform Traffic Control Devices for Streets and Highways and all sign design principles provided in the federal Standard Highway Signs and Markings Book.

"Advertising sign" means a sign that is intended to promote commercial products or services through the use of slogans and information and informs the public on where to obtain the products or services.

"Authority" means the South Jersey Transportation Authority established pursuant to P.L.1991, c.252 (C.27:25A-1 et seq.).

"Highway" means the Atlantic City Expressway; its shoulders and sidewalks; the airspace above and below the Expressway; areas for drainage, utilities, landscaping, berms, and fencing along the Expressway; and any expressway project as defined in section 3 of P.L.1991, c.252 (C.27:25A-3).

"Sponsorship agreement" means an agreement or contract between the authority and a person, firm, or entity to be acknowledged for a highway-related service, product, or monetary contribution provided.

"Sponsorship program" means a program administered by the authority, that complies with pertinent federal laws, rules, regulations, and orders, and allows a person, firm, or entity

to sponsor authority operational activities or other highway-related services or programs through the provision of a highway-related service, product, or monetary contribution.

C.27:25A-47 Establishment of sponsorship program.

8. a. There is established in the authority a sponsorship program to allow for private sponsorship of authority operational activities or other highway-related services or programs.

b. The authority shall adopt a policy on sponsorship agreements consistent with pertinent federal laws, rules, regulations, and orders to administer the program established pursuant to this section. The policy shall:

(1) include language requiring the authority to terminate a sponsorship agreement if it determines the sponsorship agreement or acknowledgement sign present a safety concern, interferes with the free and safe flow of traffic, or is not in the public interest;

(2) describe the sponsors and sponsorship agreements that are acceptable and consistent with applicable State and federal laws;

(3) require that any monetary contribution received through the program be used solely for highway purposes;

(4) include a requirement that a person, firm, or entity shall comply with the State's "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.) to be eligible to participate in the program; and

(5) be approved by the Federal Highway Administration's New Jersey Division Office.

c. Under the sponsorship program established pursuant to this section, the authority may enter into a sponsorship agreement with a person, firm, or entity to receive a highway-related service, product, or monetary contribution in exchange for acknowledging the person, firm, or entity on an acknowledgement sign. A sponsorship agreement concerning any portion of the interstate highway system shall be subject to approval by the Federal Highway Administration.

d. Nothing in this section shall permit the use of or erection of any advertising sign as part of a sponsorship program authorized pursuant to P.L.2013, c.130 (C.27:7-44.18 et al.).

C.27:25A-48 Rules or regulations.

9. The authority shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules or regulations necessary to effectuate the purposes of sections 7 and 8 of P.L.2013, c.130 (C.27:25A-46 and C.27:25A-47).

10. The provisions of P.L.2013, c.130 (C.27:7-44.18 et al.) shall not apply to any contract entered into prior to the effective date of P.L.2013, c.130 (C.27:7-44.18 et al.).

11. This act shall take effect on the first day of the 18th month next following the date of enactment except the Commissioner of Transportation, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved August 9, 2013.