

## CHAPTER 44

AN ACT establishing an “Integrated Roadside Vegetation Management Program” and supplementing Title 27 of the Revised Statutes.

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

C.27:7-42.2 Findings, declarations relative to an “Integrated Roadside Vegetation Management Program.”

1. The Legislature finds and declares that:

a. It is in the public interest of the State of New Jersey to ensure that the roadsides in New Jersey are safe, ecologically integrated, and useful for many purposes;

b. Roadsides serve as physical barriers, sound barriers, and highway beautifiers and provide refuge for many animals, insects, and plants native to New Jersey;

c. A coordinated effort by the State and public and private entities to include native plants and wildflowers in the management of the roadsides will create biodiversity, improve scenic value, preserve wildlife habitats, prevent soil erosion, and provide other environmental benefits to the State; and

d. It is altogether fitting and proper for the Legislature to establish an “Integrated Roadside Vegetation Management Program” within the Department of Transportation, to encourage the preservation and repopulation of native plants and wildflowers along the roadsides of New Jersey.

C.27:7-42.3 Definitions relative to an “Integrated Roadside Vegetation Management Program.”

2. As used in P.L.2017, c.44 (C.27:7-42.2 et al.):

“Advisory Committee” means the Integrated Roadside Vegetation Management Technical Advisory Committee established by section 4 of P.L.2017, c.44 (C.27:7-42.5).

“Commissioner” means the Commissioner of Transportation.

“Coordinator” means the Integrated Roadside Vegetation Management Coordinator established by section 3 of P.L.2017, c.44 (C.27:7-42.4).

“Department” means the Department of Transportation.

“Private entity” means any private individual, corporation, company, partnership, firm, association, owner, operator, non-profit organization, or community-based group, but shall not include, any municipal, county, or State agency or authority, or any agency, authority, or subdivision created by one or more municipal, county, or State government.

“Program” means the Integrated Roadside Vegetation Management Program established by section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:7-42.4 “Integrated Roadside Vegetation Management Program.”

3. a. There is established, within the Department of Transportation, an “Integrated Roadside Vegetation Management Program” to:

(1) Assess the conditions existing along roadsides in the State;

(2) Develop and adopt a comprehensive integrated roadside vegetation management plan for cost effective maintenance and planting along roadsides, with an emphasis on adaptable vegetation with long life cycles, native vegetation, and wildflowers, and incorporating any requirements pursuant to any other law, or rule or regulation adopted pursuant thereto, concerning the planting of native vegetation;

(3) Conduct research and feasibility studies for the comprehensive integrated roadside vegetation management plan and for future integrated roadside management projects;

(4) Implement the comprehensive integrated roadside vegetation management plan to improve roadsides in a way that will serve a variety of purposes, including climate control, erosion control, weed control, scenic quality, wildlife habitats, and utility easements;

(5) Incorporate integrated roadside management best practices for the long-term control of damaging insects, invasive plant species, and weeds while preserving valuable vegetation and habitats;

(6) Expand or create public education programs about the importance of integrated roadside vegetation management in the State, the scenic and environmental value of land adjoining roadsides, and other information consistent with the program goals; and

(7) Coordinate with other private entities and government entities, including the New Jersey Turnpike Authority, the South Jersey Transportation Authority, and county and municipal governments concerning initiatives to improve roadsides in the State.

b. The Commissioner of Transportation shall appoint an Integrated Roadside Vegetation Management Coordinator to administer the program. The coordinator shall be responsible for implementing the program goals as established by subsection a. of this section.

C.27:7-42.5 Integrated Roadside Vegetation Management Technical Advisory Committee.

4. a. There is created, within the Department of Transportation, an Integrated Roadside Vegetation Management Technical Advisory Committee to provide advice on the development and implementation of the program. The advisory committee shall consist of 10 members as follows: six members of the public appointed by the Governor who shall include one member with background or experience in the protection, preservation, maintenance, or management of native animal, insects, or plant populations, one member with background or experience in the preservation of natural or scenic resources, one member with background or experience in landscaping, one member who holds a license in landscape architecture pursuant to P.L.1983, c.337 (C.45:3A-1 et al.), one member with background or experience in highway engineering, and one member with background or experience in biodiversity, environmental engineering, or environmental science; the Commissioner of Transportation, or the Commissioner of Transportation's designee, who shall serve as an ex-officio voting member; the Commissioner of Environmental Protection, or the Commissioner of Environmental Protection's designee, who shall serve as an ex-officio voting member; the Secretary of Agriculture, or the Secretary of Agriculture's designee, who shall serve as an ex-officio voting member; and the Integrated Roadside Vegetation Management Coordinator, who shall serve as a non-voting member and secretary to the advisory committee.

b. The public members shall serve for a term of three years from the date of their appointment and until their successors are appointed and qualified, except that of the members first appointed, three members shall serve for a term of three years and three members shall serve for a term of two years. Vacancies shall be filled for the balance of any unexpired term in the same manner as the original appointment was made. Public members of the advisory committee shall be eligible for reappointment.

c. The members of the advisory committee shall serve without compensation, but shall be reimbursed for necessary and reasonable expenses actually incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available for this purpose.

d. The advisory committee shall select a chairperson and a vice-chairperson from among its public members, who shall each serve a one-year term but may be selected to serve successive terms. The advisory committee shall meet upon the call of the chairperson or a

majority of its voting members. A majority of the voting members of the advisory committee shall constitute a quorum, and no action of the advisory committee shall be taken except upon the affirmative vote of a majority of the voting members of the entire advisory committee.

e. The advisory committee activities shall include, but not be limited to:

(1) Studying and evaluating prevailing research related to biodiversity, climate control, invasive species control, native plant life cycles, soil erosion, and other environmental or roadside vegetation management related subjects;

(2) Securing funding for research, feasibility studies, and integrated roadside vegetation management projects;

(3) Establishing integrated roadside vegetation management best practices;

(4) Advising the department on the necessity of regulations or revisions to applicable department regulations that concern roadside vegetation management; and

(5) Developing strategies for educating public officials, owners of property adjacent to roadsides, and the general public on integrated roadside vegetation management best practices.

f. The advisory committee shall report annually on its activities to the department, the Governor, and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

C.27:7-42.6 Program established by county, municipality.

5. A county or municipality may establish an integrated roadside vegetation management program, provided that the program established by the county or municipality is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:23-60 Program established by New Jersey Turnpike Authority.

6. The New Jersey Turnpike Authority may establish an integrated roadside vegetation management program, provided that the program established by the New Jersey Turnpike Authority is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:25A-51 Program established by South Jersey Transportation Authority.

7. The South Jersey Transportation Authority may establish an integrated roadside vegetation management program, provided that the program established by the South Jersey Transportation Authority is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

8. This act shall take effect immediately.

Approved May 1, 2017.