

CHAPTER 5

AN ACT setting the speed limit on a specific portion of Route 130 in Burlington City, Burlington County, designated as “Antwan’s Law,” supplementing Title 39 of the Revised Statutes, and amending R.S.39:4-98.

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

C.39:4-98.10 “Antwan’s Law.”

1. This act shall be known and may be cited as “Antwan’s Law.”

C.39:4-98.11 Findings and declarations regarding “Antwan’s Law.”

2. The Legislature finds and declares:
 - a. Route 130 is one of the most dangerous roadways in the State for pedestrians, evidenced by the fact that it was adjudged the most dangerous roadway in New Jersey by the Tri-State Transportation Campaign for five consecutive years from 2011 to 2015.
 - b. Since 2009, Route 130 has never ranked lower than second on the Tri-State Transportation Campaign’s list of most dangerous roadways for pedestrians.
 - c. The portion of Route 130 in Burlington City, Burlington County is particularly dangerous because its northbound and southbound lanes are separated by a block of commercial properties that contains several popular locales, including a prominent convenience store, two fast food restaurants, two pizza places, a pharmacy, an omelette house, and an ice cream parlor.
 - d. In addition, Burlington City High School is directly adjacent to the northbound lanes of Route 130 in Burlington City and the Wilbur Watts Intermediate School is directly adjacent to the southbound lanes of Route 130 in Burlington City.
 - e. A large portion of the Burlington City High School student body resides west of Route 130, necessitating many students of the high school to cross Route 130 in order to get to and from school.
 - f. The proximity of the northbound and southbound lanes to the two schools, the existence of several commercial properties frequented by members of the student body of those two schools and by residents of the city, and the fact that many students cross Route 130 in order to get to and from school creates a dangerous set of circumstances that threatens the safety of the students and residents of Burlington City.
 - g. Although the speed limit is reduced to 25 miles per hour on a portion of Route 130 in Burlington City when the presence of children is clearly visible from the roadway during recess or while children are going to or leaving school during opening or closing hours for the Burlington City High School and the Wilbur Watts Intermediate school, the speed limit is 40 miles per hour at all other times.
 - h. On May 22, 2016, Antwan Timbers, Jr. was returning home, after visiting one of the popular convenience stores located between the northbound and southbound lanes of Route 130 in Burlington City, when he was struck and killed by a passing motorist.
 - i. Antwan, a beloved member of his school and community, planned to play football and wrestle during the 2016-2017 school year, was a participant in Burlington City High School’s Junior Reserve Officer Training Corps, and had expressed interest in joining the military after graduation.
 - j. Following his tragic death, Antwan’s friends and schoolmates banded together to start a “25 Saves Lives” campaign, calling for a permanent, full-day reduction in the speed limit in the school zone along Route 130 in Burlington City.

k. The speed limit of 40 miles per hour on the portion of Route 130 adjacent to the Burlington City High School and the Wilbur Watts Intermediate School is too high and, accordingly, needs to be permanently reduced in the interest of public safety.

C.39:4-98.12 Speed limits on certain sections of Route 130; violation fine tripled.

3. a. The driver of a motor vehicle shall not operate the motor vehicle at a speed in excess of:

(1) Twenty-five miles per hour on the northbound lanes of Route 130 between a point 300 feet south of the southerly curb line of Wood Street and Jacksonville Road in Burlington City, Burlington County;

(2) Twenty-five miles per hour on the southbound lanes of Route 130 between a point 400 feet north of the northerly curb line of East Federal Street and Wood Street in Burlington City, Burlington County;

(3) Thirty-five miles per hour on the northbound lanes of Route 130 between Lincoln Avenue and a point 300 feet south of the southerly curb line of Wood Street in Burlington City, Burlington County;

(4) Thirty-five miles per hour on the southbound lanes of Route 130 between Logan Avenue and a point 400 feet north of the northerly curb line of East Federal Street in Burlington City, Burlington County.

b. The fine for a violation of this section shall be triple the amount of the fine for a violation of R.S.39:4-98.

4. R.S.39:4-98 is amended to read as follows:

R.S.39:4-98 Rates of speed.

39:4-98. Rates of speed. Subject to the provisions of R.S.39:4-96 and R.S.39:4-97 and except in those instances where a lower speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive it at a speed not exceeding the following:

a. (1) Twenty-five miles per hour, when passing through a school zone during recess, when the presence of children is clearly visible from the roadway, or while children are going to or leaving school, during opening or closing hours;

(2) Twenty-five miles per hour on certain portions of Route 130 in Burlington City, Burlington County, as provided by paragraphs (1) and (2) of subsection a. of section 3 of P.L.2019, c.5 (C.39:4-98.12);

(3) Thirty-five miles per hour on certain portions of Route 130 in Burlington City, Burlington County, as provided by paragraphs (3) and (4) of subsection a. of section 3 of P.L.2019, c.5 (C.39:4-98.12);

b. (1) Twenty-five miles per hour in any business or residential district;

(2) Thirty-five miles per hour in any suburban business or residential district;

c. Fifty miles per hour in all other locations, except as otherwise provided in the "Sixty-Five MPH Speed Limit Implementation Act," pursuant to P.L.1997, c.415 (C.39:4-98.3 et al.).

Whenever it shall be determined upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, the Commissioner of Transportation, with reference to State highways, may by regulation and municipal or county authorities, with reference to highways under their jurisdiction, may by ordinance, in the case of municipal authorities, or by ordinance or resolution, in the case of

county authorities, subject to the approval of the Commissioner of Transportation, except as otherwise provided in R.S.39:4-8, designate a reasonable and safe speed limit thereat which, subject to the provisions of R.S.39:4-96 and R.S.39:4-97, shall be prima facie lawful at all times or at such times as may be determined, when appropriate signs giving notice thereof are erected at such intersection, or other place or part of the highway. Appropriate signs giving notice of the speed limits authorized under the provisions of paragraph (1) of subsection b. and subsection c. of this section may be erected if the commissioner or the municipal or county authorities, as the case may be, so determine they are necessary. Appropriate signs giving notice of the speed limits authorized under the provisions of subsection a. and paragraph (2) of subsection b. of this section shall be erected by the commissioner or the municipal or county authorities, as appropriate.

When designating reasonable and safe speed limits for a street under its jurisdiction pursuant to this subsection, as part of an engineering and traffic investigation, a municipality or county shall consider, but not be limited to, the following criteria: residential density; the presence, or lack, of sidewalks; the prevalence of entry and exit ways for business and commercial establishments; whether school children walk adjacent to the street on their way to and from school; and the proximity of recreational or park areas, schools, community residences, family day care homes, child care centers, assisted living facilities, or senior communities. Nothing in this paragraph shall substitute for traffic count, accident, and speed sampling data as appropriate.

The driver of every vehicle shall, consistent with the requirements of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

The Commissioner of Transportation shall cause the erection and maintenance of signs at such points of entrance to the State as are deemed advisable, setting forth the lawful rates of speed, the wording of which shall be within the commissioner's discretion.

5. This act shall take effect immediately.

Approved January 31, 2019.