

CHAPTER 294

AN ACT concerning vegetation management and supplementing Title 48 of the Revised Statutes.

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

C.48:12-168 Railroad operators to remove obstructive vegetation near railroad crossings.

1. a. Each railroad operator shall destroy or remove plants, trees, brush, or other obstructive vegetation upon and within the geographical bounds of its right-of-way at each intersection with a public road or highway, for a distance of 300 feet from the edge of each side of the public road or highway or such other distance from the edge of each side of the public road or highway that the Commissioner of Transportation determines to be reasonably safe.

b. When any railroad operator fails to destroy or remove such vegetation within 15 days following written notice, from the Department of Transportation, or the governing body of a county or municipality provided that an electronic or physical copy of the notice is delivered concurrently to the department, served on the local agent of the railroad operator, the department may destroy or remove the plants, trees, brush, or other obstructive vegetation and the railroad operator shall be responsible to reimburse the department for the costs of such removal. If the railroad operator fails to reimburse the department within 30 days of notice by certified mail, the department may use all available remedies by law to recover the costs.

2. This act shall take effect immediately.

Approved January 9, 2020.