

[Second Reprint]
SENATE, No. 3425

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 7, 2019

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Requires railroad operators to remove obstructive vegetation near railroad crossings.

CURRENT VERSION OF TEXT

As amended by the Senate on March 25, 2019.



(Sponsorship Updated As Of: 5/14/2019)

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

3

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

6

7 1. a. Each railroad operator shall destroy or remove plants,
8 trees, brush, or other obstructive vegetation upon ²and within the
9 geographical bounds of² its right-of-way at each intersection with a
10 public road or highway, for a distance of 300 feet ²from the edge of
11 each side of the public road or highway² or such other distance
12 from ²the edge of each side of² the public road or highway that the
13 Commissioner of Transportation determines to be reasonably safe.

14 b. When any railroad operator fails to destroy or remove such
15 vegetation within ²**[10]** ²15² days following written notice, from the
16 Department of Transportation², ²or the governing body of a county
17 or municipality ²provided that an electronic or physical copy of the
18 notice is delivered concurrently to the department², served on the
19 local agent of the railroad operator, the department ¹**[**or the
20 governing body of the county or municipality having jurisdiction
21 over the intersection¹**]** may destroy or remove the plants, trees,
22 brush, or other obstructive vegetation and the railroad operator shall
23 be responsible to reimburse the department ¹**[**or governing body¹**]**
24 for the costs of such removal. If the railroad operator fails to
25 reimburse the department ¹**[**or governing body¹**]** within 30 days of
26 notice by certified mail, the department ¹**[**or governing body¹**]** may
27 use all available remedies by law to recover the costs.

28

29 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted March 18, 2019.

²Senate floor amendments adopted March 25, 2019.