

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 4470**  
**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

DATED: JUNE 1, 2023

**SUMMARY**

**Synopsis:** Concerns trucks driving in farthest left-hand lane on State highway system and State toll roads.

**Type of Impact:** Annual State and local revenue increases; State expenditure increases.

**Agencies Affected:** Department of Transportation; New Jersey Turnpike Authority; South Jersey Transportation Authority; the Judiciary; local governments.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2 and Thereafter</u></b>
<b>State Expenditure Increase</b>	Up to \$1 million	Indeterminate
<b>State Revenue Increase</b>	Less than \$355,275	\$355,275
<b>Local Revenue Increase</b>	Less than \$118,425	\$118,425

- The Office of Legislative Services (OLS) concludes that the requirement to post additional signage pursuant to the bill would result in a one-time increase in State expenditures of not more than \$1 million. Additionally, the OLS anticipates that this bill would result in increased State and local revenues attributable to the fine collections of violators who operate a truck with a registered gross weight of 10,000 pounds or more in the farthest left-hand lane of a two-lane roadway.
- The OLS assumes the bill’s expansion of the left lane prohibition to include two lane roadways would result in a 15 percent increase in violations, and also notes the bill increases the fine amounts for violations. Assuming that 75 percent of these fine collections are retained by the State, the OLS anticipates annual State revenue increases of approximately \$355,275 and annual local revenue increases of approximately \$118,425.

**BILL DESCRIPTION**

This bill prohibits trucks with a registered gross weight of 10,000 pounds or more from operating in the left lane of a roadway with two or more lanes of traffic traveling in the same direction including on roadways under the jurisdiction of the New Jersey Turnpike Authority and



South Jersey Transportation Authority. Additionally, this bill authorizes a fine of not less than \$200 to not more than \$600 for a violation of the provisions of this bill. The bill provides certain exemptions for trucks with a registered gross weight of 10,000 pounds or more to travel in the left lane including; trucks preparing for left turns, trucks entering or leaving the roadway by entrance or exit to or from the left lane, or under emergency conditions.

Notably, the bill prohibits a person who is alleged to have operated a truck of 10,000 pounds registered gross weight or more in the farthest left-hand lane to enter a guilty or not guilty plea or submit a defense for use at trial by mail or in an electronic system, thereby requiring the person to appear in court.

The bill requires the Department of Transportation, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority to erect and maintain signs on roadways under the jurisdiction of each respective agency that inform operators of the provisions of the bill.

Additionally, the bill requires the Department of Transportation, the New Jersey Turnpike Authority, the South Jersey Transportation Authority, and the Administrative Office of the Courts to jointly prepare and submit an annual report concerning the number of signs posted in the State indicating that trucks of 10,000 pounds registered gross weight or more are generally prohibited from driving in the farthest left-hand lane on certain roadways and the number of tickets issued, violations committed, and revenue collected for such violations.

Under current law, trucks with a registered gross weight of 10,000 pounds or more are prohibited from operating in the left lane of a roadway with three or more lanes of traffic traveling in the same direction. Additionally, under current law, violators are fined amounts no less than \$100 to not more than \$300.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the requirement to post additional signage pursuant to the bill will result in a one-time increase in State expenditures of not more than \$1 million. Additionally, the OLS anticipates that this bill may result in increased State and local revenues attributable to the fine collections of violators who operate a truck with a registered gross weight of 10,000 pounds or more in the farthest left-hand lane of a two-lane roadway.

The OLS assumes the bill's expansion of the left lane prohibition to include two lane roadways would result in a 15 percent increase in violations, and also notes the bill increases the fine amounts for violations. Assuming that 75 percent of these fine collections are retained by the State, the OLS anticipates annual State revenue increases of approximately \$355,275 and annual local revenue increases of approximately \$118,425.

### **State Expenditures:**

The OLS estimates that the requirement to post additional signage will result in a one-time increase in State expenditures of not more than \$1 million. These costs would be incurred by the Department of Transportation, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority, respectively, each of which would be required to post signage on those roadways under its jurisdiction, which include two or more lanes for traffic traveling in the same

direction and on which trucks are permitted to travel. The OLS notes the requirement to produce an annual report may result in additional administrative expenses for the Department of Transportation, the New Jersey Turnpike Authority, the South Jersey Transportation Authority, and the Administrative Office of the Courts.

**State and Local Revenues:**

By expanding the current left lane prohibition to include two-lane roadways, the bill is expected to increase the total number of violations that would occur, thereby increasing State and local revenues associated with the collection of fines from each offender. According to information provided by the Administrative Office of the Courts, 9,155 persons were found guilty of violations for the failure by a motorist to observe traffic lanes in calendar year 2022. Of this total, 1,770 persons were specifically found guilty of operating a truck with a gross weight of at least 10,000 pounds in the farthest left-hand lane on a roadway with three or more lanes traveling in any one direction. For the purpose of this analysis, the OLS assumes that the bill would result in a 15 percent increase in violations attributable to this expansion, which equates to approximately 266 additional violations per year occurring on two-lane roadways.

Additionally, the bill is also expected to increase State and local revenues by increasing the fine amount for each violation. Currently, defendants found guilty of this violation are subject to a fine from \$100 to \$300 per violation, plus a \$50 surcharge. This bill would increase this fine from not less than \$200 to not more than \$600 per violation. Due to information constraints, the OLS is unable to determine the average fine imposed for this violation. However, for the purpose of this analysis, the OLS assumes that the average fine currently imposed is \$200, which is the midpoint of the current fine range. Similarly, the OLS assumes that the average fine imposed under the bill would be \$400, which is the midpoint of the fine range set forth in the bill.

Accordingly, the bill is expected to increase fine collections in two distinct ways: (1) through the collection of fines and surcharges from persons who commit a violation on a two-lane roadway, which previously were not considered offenses; and (2) through the collection of increased fine amounts from persons who commit a violation on a roadway with three or more lanes, which are already considered offenses. Based on the assumptions set forth above, the OLS estimates that the bill would increase annual fine collections by roughly \$119,700 from violations occurring on two-lane roadways. Additionally, based on the existing number of annual violations, the OLS estimates that the bill would increase annual fine collections by roughly \$354,000 due to the increased fine range. Together, the bill is expected to increase total annual fine collections by approximately \$473,700.

Notably, the collections of traffic fines are either retained by the State or divided equally between the municipality and county in which the violation occurred depending on whether the fine was imposed by a State or local law enforcement officer. The OLS does not have data concerning the current distribution of these fine collections among the State, counties, and municipalities. However, for the purpose of this analysis, the OLS assumes that approximately 75 percent of fine collections would be retained by the State. Based on this assumption, the OLS estimates that the State would experience annual revenue increases of approximately \$355,275, while counties and municipalities would experience annual revenue increases of approximately \$118,425.

*Section: Authorities, Utilities, Transportation, and Communications*

*Analyst: Michael Walker  
Assistant Fiscal Analyst*

*Approved: Thomas Koenig  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).