

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 2954**  
**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

DATED: NOVEMBER 27, 2024

**SUMMARY**

**Synopsis:** Requires geotechnical testing and certain monitoring of transportation projects.

**Type of Impact:** Annual increase in State expenditures; potential annual local expenditure and revenue increases.

**Agencies Affected:** Department of Transportation, counties, and municipalities.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>Potential Local Expenditure Increase</b>	Indeterminate
<b>Potential Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Service (OLS) concludes that the bill will result in increased annual expenses for the Department of Transportation, as well as certain counties and municipalities that sponsor transportation projects, in order to conduct the required ongoing geotechnical testing and monitoring for those transportation projects.
- These requirements would apply to transportation projects that are funded in whole or in part by State resources, including those of the Transportation Trust Fund Authority, and which project's structure and site condition require geotechnical testing, groundwater testing and monitoring, or deformation monitoring. Accordingly, the OLS notes that local government sponsors of transportation projects may receive State transportation funding through the Annual Transportation Capital Program for the required testing and monitoring.

**BILL DESCRIPTION**

This bill requires a geotechnical engineer to provide recommendations concerning the type and frequency of geotechnical tests needed for transportation projects. These recommendations will be based on the type, structure, and site conditions of the transportation project. All

recommendations will be implemented during the construction phase of the transportation project, unless directed otherwise by the State transportation engineer, a designee of the State transportation engineer, or a person in an equivalent position to the State transportation engineer. The geotechnical engineer is to be retained by the entity that solicits bids for a transportation project.

Prior to the start of construction of a transportation project that requires groundwater testing and monitoring, the bill requires the completion of groundwater testing and monitoring at the project site. Thereafter, if warranted by the site conditions, the bill also requires ongoing groundwater testing and monitoring, as determined by a geotechnical engineer, geologist, or the entity that solicits bids for a transportation project. Data from the groundwater testing and monitoring is not to exceed three years from the start of construction.

In addition, if deemed necessary by a geotechnical engineer or the entity that solicits bids for a transportation project, the bill requires the collection and analysis of deformation data. If the deformation exceeds the limits deemed acceptable by a geotechnical engineer, then advanced and ongoing monitoring of the deformation will commence for a period of time after construction is complete, which period of time will be determined by the geotechnical engineer or the entity that solicits bids for a transportation project.

The bill requires the department to comply with all internal standards, manuals, procedures, and design documents. The department is prohibited from waiving any of the standards and procedures provided in these documents except in certain circumstances.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

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These requirements would apply to transportation projects, that are funded in whole or in part by State resources, including those of the Transportation Trust Fund Authority, and which project's structure and site condition require geotechnical testing, groundwater testing and monitoring, or deformation monitoring. Accordingly, the OLS notes that local government sponsors of transportation projects may receive State transportation funding through the Annual Transportation Capital Program for the geotechnical testing and monitoring.

*Section: Authorities, Utilities, Transportation and Communications*

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*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.).