

[Second Reprint]

ASSEMBLY, No. 4813

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 19, 2024

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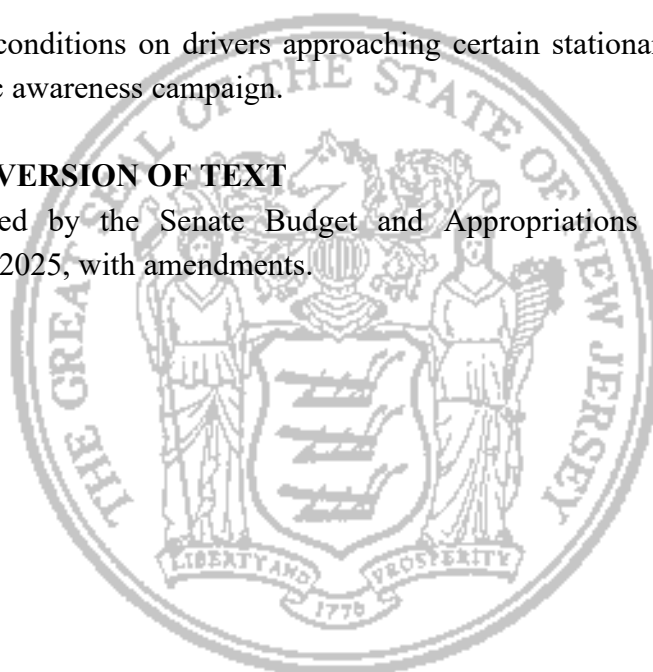
Assemblywoman Swain, Assemblymen Tully, Inganamort and Senator Diegnan

SYNOPSIS

Imposes conditions on drivers approaching certain stationary vehicles and revises public awareness campaign.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on December 8, 2025, with amendments.



(Sponsorship Updated As Of: 12/18/2025)

1 AN ACT imposing ¹**condition** conditions¹ on drivers approaching
 2 ¹**certains public utility** ²certain² stationary¹ vehicles ¹, revising
 3 the public awareness campaign,¹ and amending P.L.2009, c.5
 4 ²**and** ², P.L.2019, c.370 ², and R.S.39:3-41².

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

8
 9 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended as
 10 follows:

11 1. a. The operator of a motor vehicle approaching a stationary
 12 ¹**authorized emergency**¹ vehicle ²,² as ¹the term “vehicle” is¹
 13 defined in R.S.39:1-1 ¹**that is displaying a flashing, blinking, or**
 14 alternating red or blue light, or any configuration of lights containing
 15 one of these colors¹, ²that is displaying flashing or blinking lights²
 16 shall approach the ¹**authorized emergency**¹ ²stationary² vehicle with
 17 due caution and shall, absent any other direction by a law enforcement
 18 officer, proceed as follows:

19 (1) make a lane change into a lane not adjacent to the ¹**authorized**
 20 **emergency**¹ ²stationary² vehicle if possible in the existing safety and
 21 traffic conditions; or

22 (2) if a lane change pursuant to paragraph (1) of subsection a. of
 23 this section would be impossible, prohibited by law ²,² or unsafe,
 24 reduce the speed of the motor vehicle to a reasonable and proper speed
 25 for the existing road and traffic conditions, which speed shall be less
 26 than the posted speed limit, and be prepared to stop.

27 b. ¹**The operator of a motor vehicle approaching a stationary tow**
 28 **truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is**
 29 **displaying a flashing amber light, a stationary highway maintenance or**
 30 **emergency service vehicle that is operated by the State, an authority,**
 31 **or a county or municipality and displaying flashing yellow, amber, or**
 32 **red lights, [or] a stationary sanitation vehicle displaying a flashing**
 33 **amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-**
 34 **54.27), or a stationary vehicle owned or leased by a public utility as**
 35 **defined by R.S.48:2-13 displaying a flashing light or a stationary**
 36 **vehicle owned or leased by an employee of a public utility as defined**
 37 **by R.S.48:2-13 or by a member of the employee’s family displaying a**
 38 **flashing amber light pursuant to P.L.2007 c.242 (C.39:3-54.24) shall**
 39 **approach the vehicle with due caution and shall, absent any other**
 40 **direction by a law enforcement officer, proceed as follows:**

41 (1) make a lane change into a lane not adjacent to the tow truck,
 42 highway maintenance or emergency service vehicle, **[or] sanitation**
 43 **vehicle, or vehicle owned or leased by a public utility or owned or**
 44 **leased by an employee of a public utility or a member of the**

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:

¹Assembly ATR committee amendments adopted December 12, 2024.

²Senate SBA committee amendments adopted December 8, 2025.

1 employee's family if possible in the existing safety and traffic
2 conditions; or

3 (2) if a lane change under paragraph (1) of subsection b. of this
4 section would be impossible, prohibited by law or unsafe, reduce the
5 speed of the motor vehicle to a reasonable and proper speed for the
6 existing road and traffic conditions, which speed shall be less than the
7 posted speed limit, and be prepared to stop. **】** (Deleted by amendment,
8 P.L. , c. (pending before the Legislature as this bill)¹

9 c. ¹**【**The operator of a motor vehicle approaching a disabled
10 vehicle that is flashing hazard warning signal lights or utilizing road
11 flares or reflective triangles shall approach the disabled vehicle with
12 due caution and shall, absent any other direction by a law enforcement
13 officer, proceed as follows:

14 (1) make a lane change into a lane not adjacent to the disabled
15 vehicle if possible in the existing safety and traffic conditions; or

16 (2) if a lane change pursuant to paragraph (1) of subsection c. of
17 this section would be impossible, prohibited by law or unsafe, reduce
18 the speed of the motor vehicle to a reasonable and proper speed for the
19 existing road and traffic conditions, which speed shall be less than the
20 posted speed limit, and be prepared to stop. **】** (Deleted by amendment,
21 P.L. , c. (pending before the Legislature as this bill)¹

22 d. A person who violates this section shall be fined not less than
23 \$100 and not more than \$500.

24 In addition to the fine imposed pursuant to this subsection, a
25 person convicted of three or more offenses under this section that
26 occur within a 12-month period shall be assessed two motor vehicle
27 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

28 ¹**【**A motor vehicle operator shall not be assessed motor vehicle
29 penalty points unless the stationary vehicle is displaying flashing,
30 blinking, or alternating lights or utilizing road flares or reflective
31 triangles in accordance with this section at the time of the third or
32 subsequent violation. **】**¹

33 ²A motor vehicle operator shall not be assessed motor vehicle
34 penalty points unless the stationary vehicle is displaying flashing or
35 blinking lights in accordance with this section at the time of the third
36 or subsequent violation.²

37 (cf: P.L.2023, c.325, s.1)

38

39 2. Section 2 of P.L.2019, c.370 (C.39:4-92.3) is amended as
40 follows:

41 2. The Director of the Division of Highway Traffic Safety in the
42 Department of Law and Public Safety shall establish a public
43 awareness campaign to inform the general public concerning:

44 (1) the importance of motor vehicle operators ²**【**reducing the speed
45 of their vehicles and **】**² changing lanes ²or reducing the speed of their
46 vehicles and being prepared to stop² when approaching ¹**【**an
47 authorized emergency vehicle; a tow truck; or a highway maintenance,

1 emergency service, or sanitation vehicle; or a vehicle owned or leased
2 by a public utility or owned or leased by an employee of a public
3 utility or a member of the employee's family that is displaying
4 flashing, blinking, or alternating emergency lights or a disabled
5 vehicle flashing hazard warning signal lights or utilizing road flares or
6 reflective triangles **】** a stationary vehicle¹ ²that is displaying flashing or
7 blinking lights,² as required pursuant to section 1 of P.L.2009, c.5
8 (C.39:4-92.2);

9 (2) the risks associated with the failure of a motor vehicle operator
10 to comply with the provisions of section 1 of P.L.2009, c.5 (C.39:4-
11 92.2); and

12 (3) the penalties and fines that are imposed on a motor vehicle
13 operator who violates section 1 of P.L.2009, c.5 (C.39:4-92.2).
14 (cf: P.L.2023, c.325, s.2)

15
16 ²3. R.S.39:3-41 is amended to read as follows:

17 39:3-41. a. At the time of the issuance of an examination permit
18 or a special learner's permit to operate a motor vehicle, the chief
19 administrator shall make available to each applicant for the
20 examination permit or special learner's permit a driver's manual
21 containing information required to be known and followed by licensed
22 drivers relating to licensing requirements.

23 b. At the time of any required examination for renewal of a
24 driver's license, the chief administrator shall upon request make
25 available to each applicant for renewal a copy of the manual and any
26 supplements thereto.

27 c. The driver's manual and any supplements thereto or any other
28 booklet or writing prepared in connection with examinations for
29 drivers' licenses or for renewals of drivers' licenses shall contain all
30 information necessary to answer any question on an examination for a
31 driver's license or for a renewal of a driver's license.

32 The chief administrator shall publish the driver's manual on the
33 website of the commission in English and each of the three languages,
34 other than English, most commonly spoken in the State, as determined
35 by the chief administrator. The chief administrator shall periodically,
36 and at least every five years, verify the three languages, other than
37 English, most commonly spoken in the State.

38 d. The chief administrator, following consultation with the organ
39 procurement organizations designated pursuant to 42 U.S.C. s.1320b-8
40 to serve in the State of New Jersey, shall include in the driver's manual
41 information explaining the provisions of the "Revised Uniform
42 Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77 et al.), the beneficial
43 uses of donated organs and tissues, and the procedure for indicating on
44 the driver's license the intention to make a donation pursuant to
45 section 1 of P.L.1978, c.181 (C.39:3-12.2). The chief administrator
46 may distribute all remaining copies of the existing driver's manual
47 before reprinting the manual with the information required pursuant to
48 this subsection.

1 e. The chief administrator, in consultation with the Nikhil Badlani
2 Foundation, shall include in the driver's manual information
3 explaining the dangers of failing to comply with this State's motor
4 vehicle traffic laws and indicating that interested drivers may take the
5 STOP for Nikhil Safety Pledge set forth in paragraph (1) of this
6 subsection.

7 (1) The "STOP for Nikhil Safety Pledge" is as follows:

8 "In order to ensure the safety of others on the road, passengers in
9 my car, and myself as a driver, I pledge to obey traffic laws while
10 operating a motor vehicle, be extra cautious, and be attentive to traffic
11 signs and signals and road conditions. Specifically:

12 I will come to a complete stop at every "stop" sign or red traffic
13 light, and will not proceed through a red traffic light;

14 I will stay alert, keep two hands on the steering wheel whenever
15 possible, and keep my mind on the road;

16 I will talk safely by using a hands-free wireless telephone while
17 driving if I am of lawful age to do so and refrain from texting while
18 driving; and I will plan ahead and leave enough time to arrive at my
19 destination."

20 (2) The chief administrator shall ensure that drivers have the
21 option of taking the pledge set forth in paragraph (1) of this subsection
22 by filling out a standard form made available at motor vehicle offices
23 or by following instructions publicized by the chief administrator
24 directing interested drivers to the appropriate website to complete the
25 pledge.

26 (3) The chief administrator may distribute all remaining copies of
27 the existing driver's manual before reprinting the manual with the
28 information required pursuant to this subsection.

29 f. The chief administrator, in consultation with the Commissioner
30 of Health and the Director of the Division of Highway Traffic Safety
31 in the Department of Law and Public Safety, shall include in the
32 driver's manual information explaining the dangers of carbon
33 monoxide poisoning from motor vehicles and techniques for the safe
34 operation and proper maintenance of a motor vehicle. The chief
35 administrator may distribute all remaining copies of any existing
36 driver's manual before reprinting the manual with the information
37 required pursuant to this subsection.

38 g. The chief administrator, in consultation with the Director of the
39 Division of Highway Traffic Safety in the Department of Law and
40 Public Safety, shall include in the driver's manual information
41 pertaining to the importance of operating a motor vehicle in a manner
42 that safely shares the roadway with pedestrians, cyclists, skaters, riders
43 of motorized-scooters, and other non-motorized vehicles, which shall
44 include, but not be limited to, a driver's responsibilities when
45 approaching and passing a pedestrian or person operating a bicycle or
46 personal conveyance on the roadway pursuant to section 1 of
47 P.L.2021, c.194 (C.39:4-92.4) and the penalties for failing to comply
48 with these responsibilities.

1 h. The chief administrator, in consultation with the Director of the
2 Division of Highway Traffic Safety in the Department of Law and
3 Public Safety, shall include in the driver's manual information that
4 instructs pedestrians, cyclists, skaters, riders of motorized-scooters,
5 and riders of other non-motorized vehicles on the proper safety
6 procedures while sharing the roadway with motorists.

7 i. The chief administrator, in consultation with the Director of the
8 Division of Highway Traffic Safety in the Department of Law and
9 Public Safety, shall include in the driver's manual information that
10 instructs motorists on the importance of changing lanes or reducing the
11 speed of their vehicles and being prepared to stop when approaching a
12 stationary vehicle that is displaying flashing or blinking lights, as
13 required by section 1 of P.L.2009, c.5 (C.39:4-92.2).²

14 (cf: P.L.2025, c.103, s.3)

15
16 ²[3.] 4.² This act shall take effect immediately.