

**SENATE, No. 2931**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED MARCH 4, 2024

**Sponsored by:**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Somerset and Union)**

**SYNOPSIS**

Revises “New Jersey Transportation Trust Fund Authority Act,” revises calculation of gas tax rate, and establishes annual fee for zero emission vehicles.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the financing and construction of transportation  
2 infrastructure in the State, revising various parts of the statutory  
3 law, and supplementing Title 39 of the Revised Statutes.

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

7  
8 1. Section 3 of P.L.1984, c.73 (C.27:1B-3) is amended to read  
9 as follows:

10 3. The following words or terms as used in this act shall have  
11 the following meaning unless a different meaning clearly appears  
12 from the context:

13 "Act" means this New Jersey Transportation Trust Fund  
14 Authority Act of 1984 as amended and supplemented.

15 "Authority" means the New Jersey Transportation Trust Fund  
16 Authority created by section 4 of this act.

17 "Bonds" means bonds issued by the authority pursuant to the act  
18 and includes prior bonds and transportation program bonds.

19 "Circle of Mobility" means an essential group of related transit  
20 projects that include (1) the New Jersey Urban Core Project, as  
21 defined in section 3031 of the "Intermodal Surface Transportation  
22 Efficiency Act of 1991," Pub.L.102-240, and consisting of the  
23 following elements: Secaucus Transfer, Kearny Connection,  
24 Waterfront Connection, Northeast Corridor Signal System, Hudson  
25 River Waterfront Transportation System, Newark-Newark  
26 International Airport-Elizabeth Transit Link, a rail connection  
27 between Penn Station Newark and Broad Street Station, Newark,  
28 New York Penn Station Concourse, and the equipment needed to  
29 operate revenue service associated with improvements made by the  
30 project, and (2) the modification and reconstruction of the West  
31 Shore Line in Bergen County connected to Allied  
32 Junction/Secaucus Transfer Meadowlands Rail Center; the  
33 construction of a rail station and associated components at the  
34 Meadowlands Sports Complex; the modification and reconstruction  
35 of the Susquehanna and Western Railway, as defined and provided  
36 in section 3035 (a) of the "Intermodal Surface Transportation  
37 Efficiency Act of 1991"; the modification and reconstruction of the  
38 Lackawanna Cutoff Commuter Rail Line connecting Morris, Sussex  
39 and Warren Counties to the North Jersey Transportation Rail  
40 Centers; and commuter rail service in the central New Jersey region  
41 terminating at the proposed Lakewood Transportation Center in  
42 Ocean County or other location, as determined by the Board of the  
43 New Jersey Transit Corporation, pursuant to a resolution of the  
44 board providing for the achievement of a consensus among the  
45 interested parties as to the direction of the proposed rail line;

**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.**

1 provided, however, that this 2000 amendatory act shall not be  
2 construed as affecting any priorities which may have been assigned  
3 to any other project in the Circle of Mobility.

4 "Commissioner" means the Commissioner of Transportation.

5 "Department" means the Department of Transportation.

6 "Federal aid highway" means any highway within the State in  
7 connection with which the State receives payment or reimbursement  
8 from the federal government under the terms of Title 23, United  
9 States Code or any amendment, successor, or replacement thereof,  
10 for the purposes contained in the act.

11 "Federal government" means the United States of America, and  
12 any office, department, board, commission, bureau, division,  
13 corporation, agency, or instrumentality thereof.

14 "New Jersey Highway Authority" means the public corporation  
15 created by section 4 of P.L.1952, c.16 (C.27:12B-4) or its  
16 successor.

17 "New Jersey Turnpike Authority" means the public corporation  
18 created by section 3 of P.L.1948, c.454 (C.27:23-3) or its successor.

19 "Notes" means the notes issued by the authority pursuant to the  
20 act.

21 "Permitted maintenance" means, in relation to public  
22 transportation projects and transportation projects, direct costs of  
23 work necessary for preserving or maintaining the useful life of  
24 public transportation projects and transportation projects,  
25 respectively, provided the work performed is associated with the  
26 acquisition, installation, and rehabilitation of components which are  
27 not included in the normal operating maintenance of equipment and  
28 facilities or replaced on a scheduled basis. The work shall ensure  
29 the useful life of the public transportation project or transportation  
30 project for not less than five years and shall not include routine  
31 maintenance or inspection of equipment and facilities that is  
32 conducted on a scheduled basis. This definition shall not apply to  
33 the term "maintenance" as used in the definition of "public  
34 highways." In relation to public highways, "permitted maintenance"  
35 means the direct costs of work necessary for preserving or  
36 maintaining the useful life of public highways, provided the work is  
37 not associated with the regular and routine maintenance of public  
38 highways and their components. The work shall ensure the useful  
39 life of the transportation project for not less than five years.

40 "Prior bonds" means bonds issued pursuant to the authorization  
41 contained in P.L.1995, c.108 and P.L.2006, c.3 and any bonds  
42 issued to refund such prior bonds.

43 "Public highways" means public roads, streets, expressways,  
44 freeways, parkways, motorways and boulevards, including bridges,  
45 tunnels, overpasses, underpasses, interchanges, rest areas, express  
46 bus roadways, bus pullouts and turnarounds, park-ride facilities,  
47 traffic circles, grade separations, traffic control devices, the  
48 elimination or improvement of crossings of railroads and highways,

1 whether at grade or not at grade, bicycle and pedestrian pathways  
2 and pedestrian and bicycle bridges traversing public highways and  
3 any facilities, equipment, property, rights of way, easements and  
4 interests therein needed for the construction, improvement, and  
5 maintenance of highways.

6 "Public transportation project" means, in connection with public  
7 transportation service, passenger stations, shelters and terminals,  
8 automobile parking facilities, ferries and ferry facilities, including  
9 capital projects for ferry terminals, approach roadways, pedestrian  
10 accommodations, parking, docks, and other necessary land-side  
11 improvements, ramps, track connections, signal systems, power  
12 systems, information and communication systems, roadbeds, transit  
13 lanes or rights of way, equipment storage, pedestrian walkways and  
14 bridges connecting to passenger stations and servicing facilities,  
15 bridges, grade crossings, rail cars, locomotives, motorbuses and  
16 other motor vehicles, maintenance and garage facilities, revenue  
17 handling equipment and any other equipment, facility, or property  
18 useful for or related to the provision of public transportation  
19 service.

20 "South Jersey Transportation Authority" means the public  
21 corporation created by section 4 of P.L.1991, c.252 (C.27:25A-4) or  
22 its successor.

23 "State agency" means any office, department, board,  
24 commission, bureau, division, agency, or instrumentality of the  
25 State.

26 "Toll road authorities" means and includes the New Jersey  
27 Turnpike Authority, the New Jersey Highway Authority, or its  
28 successor, and the South Jersey Transportation Authority.

29 "Transportation program bonds" means bonds issued pursuant to  
30 the authorization contained in P.L.2012, c.13, P.L.2016, c.56,  
31 P.L. , c. (C. ) (pending before the Legislature as this bill),  
32 and any bonds issued to refund such transportation program bonds.

33 "Transportation project" means, in addition to public highways  
34 and public transportation projects, any equipment, facility or  
35 property useful or related to the provision of any ground,  
36 waterborne, or air transportation for the movement of people and  
37 goods including rail freight infrastructure, which equipment,  
38 facility, or property may be acquired by purchase or lease.

39 "Transportation system" means public highways, public  
40 transportation projects, other transportation projects, and all other  
41 surface, airborne, and waterborne methods of transportation for the  
42 movement of people and goods.

43 (cf: P.L.2016, c.56, s.1)

44

45 2. Section 9 of P.L.1984, c.73 (C.27:1B-9) is amended to read  
46 as follows:

47 9. a. The authority shall have the power and is hereby  
48 authorized after November 15, 1984 and from time to time

1 thereafter to issue its bonds, notes or other obligations in principal  
2 amounts as in the opinion of the authority shall be necessary to  
3 provide for any of its corporate purposes, including the payment,  
4 funding or refunding of the principal of, or interest or redemption  
5 premiums on, any bonds, notes or other obligations issued by it,  
6 whether the bonds, notes, obligations or interest to be funded or  
7 refunded have or have not become due; and to provide for the  
8 security thereof and for the establishment or increase of reserves to  
9 secure or to pay the bonds, notes or other obligations or interest  
10 thereon and all other reserves and all costs or expenses of the  
11 authority incident to and necessary or convenient to carry out its  
12 corporate purposes and powers; and in addition to its bonds, notes  
13 and other obligations, the authority shall have the power to issue  
14 subordinated indebtedness, which shall be subordinate in lien to the  
15 lien of any or all of its bonds or notes. No resolution or other action  
16 of the authority providing for the issuance of bonds, refunding  
17 bonds, notes, or other obligations shall be adopted or otherwise  
18 made effective by the authority without the prior approval in  
19 writing of the Governor and the State Treasurer.

20 b. Except as may be otherwise expressly provided in the act or  
21 by the authority:

22 (1) Every issue of bonds or notes shall be general obligations  
23 payable out of any revenues or funds of the authority, subject only  
24 to any agreements with the holders of particular bonds or notes  
25 pledging any particular revenues or funds. The authority may  
26 provide the security and payment provisions for its bonds or notes  
27 as it may determine, including (without limiting the generality of  
28 the foregoing) bonds or notes as to which the principal and interest  
29 are payable from and secured by all or any portion of the revenues  
30 of and payments to the authority, and other moneys or funds as the  
31 authority shall determine, provided that for transportation program  
32 bonds or notes issued in anticipation of such transportation program  
33 bonds, only revenues dedicated pursuant to the New Jersey  
34 Constitution, including Article VIII, Section II, paragraph 4, and  
35 deposited into the "Transportation Trust Fund Account -  
36 Subaccount for Debt Service for Transportation Program Bonds,"  
37 may be used for such payment;

38 (2) In addition, the authority may issue notes, in anticipation of  
39 the issuance of the bonds, provided that the issuance of such notes  
40 shall be subject to the bonding limitations as provided in subsection  
41 i. of this section, and the payment of such notes if issued in  
42 anticipation of the issuance of transportation program bonds shall  
43 be paid solely from revenues dedicated pursuant to the New Jersey  
44 Constitution, including Article VIII, Section II, paragraph 4, and  
45 deposited into the "Transportation Trust Fund Account -  
46 Subaccount for Debt Service for Transportation Program Bonds."  
47 The authority may also issue notes in anticipation of the receipt of  
48 appropriations, grants, reimbursements or other funds, including

1 without limitation grants from the federal government for federal  
2 aid highways or public transportation systems, the principal of or  
3 interest on which, or both, shall be payable out of the proceeds of  
4 appropriations, grants, reimbursements or other funds, including  
5 without limitation grants from the federal government for federal  
6 aid highways or public transportation systems. Such notes shall not  
7 be subject to the bonding limitations as provided in subsection i. of  
8 this section; and

9 (3) The authority may also enter into bank loan agreements,  
10 lines of credit and other security agreements as authorized pursuant  
11 to subsection h. of section 6 of P.L.1984, c.73 (C.27:1B-6) and  
12 obtain for or on its behalf letters of credit in each case for the  
13 purpose of securing its bonds, notes or other obligations or to  
14 provide direct payment of any costs which the authority is  
15 authorized to pay by this act and to secure repayment of any  
16 borrowings under the loan agreement, line of credit, letter of credit  
17 or other security agreement by its bonds, notes or other obligations  
18 or the proceeds thereof or by any or all of the revenues of and  
19 payments to the authority or by any appropriation, grant or  
20 reimbursement to be received by the authority and other moneys or  
21 funds as the authority shall determine, provided that for any such  
22 agreements entered into in connection with transportation program  
23 bonds issued pursuant to the authorization contained in subsection i.  
24 of this section, or notes issued in anticipation of such transportation  
25 program bonds, only revenues dedicated pursuant to the New Jersey  
26 Constitution, including Article VIII, Section II, paragraph 4, and  
27 deposited into the "Transportation Trust Fund Account -  
28 Subaccount for Debt Service for Transportation Program Bonds,"  
29 may be used for such payment.

30 c. Whether or not the bonds and notes are of the form and  
31 character as to be negotiable instruments under the terms of Title  
32 12A, Commercial Transactions, New Jersey Statutes, the bonds and  
33 notes are hereby made negotiable instruments within the meaning of  
34 and for all the purposes of Title 12A of the New Jersey Statutes.

35 d. Bonds or notes of the authority shall be authorized by a  
36 resolution or resolutions of the authority and may be issued in one  
37 or more series and shall bear the date, or dates, mature at the time  
38 or times, bear interest at the rate or rates of interest per annum, be  
39 in the denomination or denominations, be in the form, carry the  
40 conversion or registration privileges, have the rank or priority, be  
41 executed in the manner, be payable from the sources, in the medium  
42 of payment, at the place or places within or without the State, and  
43 be subject to the terms of redemption (with or without premium) as  
44 the resolution or resolutions may provide. Bonds or notes may be  
45 further secured by a trust indenture between the authority and a  
46 corporate trustee within or without the State. All other obligations  
47 of the authority shall be authorized by resolution containing terms  
48 and conditions as the authority shall determine.

1 e. Bonds, notes or other obligations of the authority may be  
2 sold at public or private sale at a price or prices and in a manner as  
3 the authority shall determine, either on a negotiated or on a  
4 competitive basis. Every bond, or refunding bond, issued on or after  
5 the effective date of P.L.2006, c.3 (C.27:1B-22.2 et al.) shall mature  
6 and be paid no later than 31 years from the date of the issuance of  
7 that bond or refunding bond.

8 f. Bonds or notes may be issued and other obligations incurred  
9 under the provisions of the act without obtaining the consent of any  
10 department, division, commission, board, bureau or agency of the  
11 State, other than the approval as required by subsection a. of this  
12 section, and without any other proceedings or the happening of any  
13 other conditions or other things than those proceedings, conditions  
14 or things which are specifically required by the act.

15 g. Bonds, notes and other obligations of the authority issued or  
16 incurred under the provisions of the act shall not be in any way a  
17 debt or liability of the State or of any political subdivision thereof  
18 other than the authority and shall not create or constitute any  
19 indebtedness, liability or obligation of the State or of any political  
20 subdivision or be or constitute a pledge of the faith and credit of the  
21 State or of any political subdivision, but all bonds, notes and  
22 obligations, unless funded or refunded by bonds, notes or other  
23 obligations of the authority, shall be payable solely from revenues  
24 or funds pledged or available for their payment as authorized in the  
25 act. Each bond, note or other obligation shall contain on its face a  
26 statement to the effect that the authority is obligated to pay the  
27 principal thereof or the interest thereon only from revenues or funds  
28 of the authority, and for transportation program bonds and  
29 agreements securing such transportation program bonds only from  
30 revenues dedicated pursuant to the New Jersey Constitution,  
31 including Article VIII, Section II, paragraph 4, and deposited into  
32 the "Transportation Trust Fund Account - Subaccount for Debt  
33 Service for Transportation Program Bonds," and that neither the  
34 State nor any political subdivision thereof is obligated to pay the  
35 principal or interest and that neither the faith and credit nor the  
36 taxing power of the State or any political subdivision thereof is  
37 pledged to the payment of the principal of or the interest on the  
38 bonds, notes or other obligations. For the purposes of this  
39 subsection, political subdivision does not include the authority.

40 h. All expenses incurred in carrying out the provisions of the  
41 act shall be payable solely from the revenues or funds provided or  
42 to be provided under or pursuant to the provisions of the act and  
43 nothing in the act shall be construed to authorize the authority to  
44 incur any indebtedness or liability on behalf of or payable by the  
45 State or any political subdivision thereof.

46 i. Commencing with the fiscal year beginning July 1, 1995 and  
47 ending within the fiscal year beginning July 1, 2005, the authority  
48 shall not incur debt in any fiscal year in excess of \$650,000,000,

1 except that if that permitted amount of debt, or any portion thereof,  
2 is not incurred in a fiscal year it may be incurred in a subsequent  
3 fiscal year. Commencing with the fiscal year beginning July 1, 2006  
4 and ending with the fiscal year beginning on July 1, 2010, the  
5 authority shall not incur debt for any fiscal year in excess of  
6 \$1,600,000,000, reduced in each of those fiscal years by the amount  
7 by which the appropriation of State funds to the Transportation  
8 Trust Fund Account for that fiscal year shall exceed \$895,000,000;  
9 provided, however, that if a portion of that permitted amount of  
10 debt, less any reduction as provided above, is not incurred in a  
11 fiscal year, an amount not greater than the unused portion may be  
12 incurred in a subsequent fiscal year in addition to the amount  
13 otherwise permitted. Debt permitted for the fiscal year beginning  
14 July 1, 2006 may be incurred prior to July 1, 2006. The authority  
15 shall not issue transportation program bonds in excess of  
16 \$1,247,000,000 for the fiscal year beginning July 1, 2012, in excess  
17 of \$849,200,000 for the fiscal year beginning July 1, 2013, in  
18 excess of \$735,300,000 for the fiscal year beginning July 1, 2014,  
19 and in excess of \$626,800,000 for the fiscal year beginning July 1,  
20 2015, except that (1) if that permitted amount of transportation  
21 program bonds, or any portion thereof, is not incurred in a fiscal  
22 year, it may be issued in a subsequent fiscal year and (2) 30 percent  
23 of the permitted amount of transportation program bonds for a fiscal  
24 year may be issued in the fiscal year preceding such fiscal year  
25 provided that (a) any transportation program bonds issued pursuant  
26 to this paragraph shall be deducted from the authorization for the  
27 fiscal year from which it was taken, and (b) the proceeds of any  
28 such transportation program bonds shall not be encumbered until  
29 the fiscal year from which the deduction of the authorization was  
30 taken pursuant to this paragraph. Transportation program bonds  
31 authorized to be issued for the fiscal year beginning July 1, 2012  
32 may be issued prior to July 1, 2012. Commencing on the day that  
33 Assembly Concurrent Resolution No. 1 of 2015, a constitutional  
34 amendment to Article VIII, Section II, paragraph 4 of the New  
35 Jersey Constitution, takes effect, and ending June 30, ~~2024~~ 2029,  
36 the authority shall not issue transportation program bonds in excess  
37 of ~~[\$12,000,000,000]~~ \$15,600,000,000. Any increase in this  
38 limitation shall only occur if so provided for by law. In computing  
39 the foregoing limitation as to the amount of bonds the authority may  
40 issue, the authority may exclude any bonds, notes or other  
41 obligations, including subordinated obligations of the authority,  
42 issued for refunding purposes; except that, for the fiscal year  
43 beginning July 1, 2016 and thereafter, any net premiums received in  
44 connection with the issuance of transportation program bonds shall  
45 count against any limitation as to the amount of transportation  
46 program bonds the authority may issue. The payment of debt  
47 service on transportation program bonds and any agreements issued  
48 in connection with such transportation program bonds shall be paid



1 solely from revenues dedicated pursuant to the New Jersey  
2 Constitution, including Article VIII, Section II, paragraph 4, and  
3 deposited into the "Transportation Trust Fund Account -  
4 Subaccount for Debt Service for Transportation Program Bonds."

5 j. Upon the decision by the authority to issue refunding bonds  
6 pursuant to this section, and prior to the sale of those bonds, the  
7 authority shall transmit to the Joint Budget Oversight Committee, or  
8 its successor, a report that a decision has been made, reciting the  
9 basis on which the decision was made, including an estimate of the  
10 debt service savings to be achieved and the calculations upon which  
11 the authority relied when making the decision to issue refunding  
12 bonds. The report shall also disclose the intent of the authority to  
13 issue and sell the refunding bonds at public or private sale and the  
14 reasons therefor.

15 k. The Joint Budget Oversight Committee, or its successor,  
16 shall have authority to approve or disapprove the sale of refunding  
17 bonds as included in each report submitted in accordance with  
18 subsection j. of this section. The committee shall approve or  
19 disapprove the sale of refunding bonds within 10 business days  
20 after physical receipt of the report. The committee shall notify the  
21 authority in writing of the approval or disapproval as expeditiously  
22 as possible.

23 l. No refunding bonds shall be issued unless the report has  
24 been submitted to and approved by the Joint Budget Oversight  
25 Committee, or its successor, as set forth in subsection k. of this  
26 section.

27 m. Within 30 days after the sale of the refunding bonds, the  
28 authority shall notify the Joint Budget Oversight Committee, or its  
29 successor, of the result of that sale, including the prices and terms,  
30 conditions and regulations concerning the refunding bonds, and the  
31 actual amount of debt service savings to be realized as a result of  
32 the sale of refunding bonds.

33 n. The Joint Budget Oversight Committee, or its successor,  
34 shall, however, review all information and reports submitted in  
35 accordance with this section and may, on its own initiative, make  
36 observations and recommendations to the authority or to the  
37 Legislature, or both, as it deems appropriate.

38 o. No refunding bonds shall be issued unless the authority shall  
39 first determine that the present value of the aggregate principal of  
40 and interest on the refunding bonds is less than the present value of  
41 the aggregate principal of and interest on the outstanding bonds to  
42 be refinanced, except that, for the purposes of this limitation,  
43 present value shall be computed using a discount rate equal to the  
44 yield of those refunding bonds, and yield shall be computed using  
45 an actuarial method based upon a 360-day year with semiannual  
46 compounding and upon the prices paid to the authority by the initial  
47 purchasers of those refunding bonds.

48 (cf: P.L.2016, c.56, s.2)

1       3. Section 20 of P.L.1984, c.73 (C.27:1B-20) is amended to  
2 read as follows:

3       20. There is hereby established in the General Fund an account  
4 entitled "Transportation Trust Fund Account," which shall consist  
5 of three subaccounts entitled: "Transportation Trust Fund Account -  
6 Subaccount for Debt Service for Prior Bonds," "Transportation  
7 Trust Fund Account - Subaccount for Debt Service for  
8 Transportation Program Bonds," and "Transportation Trust Fund  
9 Account - Subaccount for Capital Reserves." During the fiscal year  
10 beginning July 1, 1984 and during each succeeding fiscal year in  
11 which the authority has bonds, notes or other obligations  
12 outstanding, the treasurer shall credit to the "Transportation Trust  
13 Fund Account - Subaccount for Debt Service for Prior Bonds" a  
14 portion of the revenues derived from the following, as determined  
15 by the treasurer, and to the "Transportation Trust Fund Account -  
16 Subaccount for Debt Service for Transportation Program Bonds"  
17 and "Transportation Trust Fund Account - Subaccount for Capital  
18 Reserves" only revenues dedicated pursuant to the New Jersey  
19 Constitution, including Article VIII, Section II, paragraph 4, which  
20 are also derived under subsection a. of this section and from the  
21 petroleum products gross receipts and sales tax as set forth in  
22 subsection d. of this section; and to the "Transportation Trust Fund  
23 Account - Subaccount for Capital Reserves," the revenues derived  
24 from the additional annual fee for zero emission vehicles, as set  
25 forth in subsection e. of this section:

26       a. An amount equivalent to all revenue derived from the  
27 collection of the tax imposed on the sale of motor fuels pursuant to  
28 chapter 39 of Title 54 of the Revised Statutes, as provided in Article  
29 VIII, Section II, paragraph 4 of the State Constitution;

30       b. (Deleted by amendment, P.L.2000, c.73).

31       c. An amount equivalent to moneys received by the State in  
32 accordance with contracts entered into with toll road authorities or  
33 other State agencies, provided that effective with the fiscal year  
34 beginning July 1, 1988 the amount so credited shall not be less than  
35 \$24,500,000 in any fiscal year.

36       The treasurer shall also credit to the "Transportation Trust Fund  
37 Account - Subaccount for Debt Service for Prior Bonds," in  
38 accordance with a contract between the treasurer and the authority,  
39 an amount equivalent to the sum of the revenues due from the  
40 increase of fees for motor vehicle registrations collected pursuant to  
41 the amendment to R.S.39:3-20 made by section 32 of P.L.1984,  
42 c.73 and from the increase in the tax on diesel fuels imposed  
43 pursuant to the amendment to R.S.54:39-27 made by section 35 of  
44 P.L.1984, c.73 and by P.L.1987, c.460, and as amended by section  
45 18 of P.L.1992, c.23, and repealed by section 56 of P.L.2010, c.22  
46 and now imposed pursuant to section 3 of P.L.2010, c.22 (C.54:39-  
47 103), provided that the total amount credited during the fiscal year  
48 beginning July 1, 1984 shall not be less than \$20,000,000 and that

1 the total amount credited during the fiscal year beginning July 1,  
2 1985 and during every fiscal year thereafter shall not be less than  
3 \$30,000,000.

4 In addition to the amounts credited to the account by this section,  
5 commencing with the fiscal year beginning July 1, 1995 and every  
6 fiscal year thereafter, there shall be appropriated from the General  
7 Fund such additional amounts as are necessary to carry out the  
8 provisions of this act and beginning July 1, 2000 the fees collected  
9 pursuant to subsection a. of section 68 of P.L.1990, c.8 (C.17:33B-  
10 63) shall be credited to the account for the purposes of this act,  
11 provided, however, the amount credited from such fees during any  
12 fiscal year shall not be less than \$60,000,000.

13 d. In addition to the amount credited in subsection a. of this  
14 section: beginning January 1 following approval by the voters an  
15 amount equivalent to the revenue derived from the tax imposed on  
16 the sale of petroleum products pursuant to P.L.1990, c.42  
17 (C.54:15B-1 et seq.), provided, however, such amount shall not be  
18 less than \$100,000,000 in the period January 1 through June 30  
19 following approval by the voters and shall not be less than  
20 \$200,000,000 in any fiscal year through the fiscal year commencing  
21 July 1, 2015; and in the fiscal year commencing July 1, 2016, an  
22 amount equivalent to all revenue derived from the sale of petroleum  
23 products pursuant to P.L.1990, c.42 (C.54:15B-1 et seq.) and in  
24 each year thereafter; and for the fiscal year commencing July 1,  
25 2001 and for each fiscal year thereafter an amount equivalent to the  
26 revenue derived from the tax imposed under the "Sales and Use Tax  
27 Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on the sale of new motor  
28 vehicles, provided, however, that such amount shall not be less than  
29 \$200,000,000 for the fiscal year commencing July 1, 2003 and for  
30 each fiscal year thereafter, as provided in Article VIII, Section II,  
31 paragraph 4 of the State Constitution.

32 No later than the fifth business day of the month following the  
33 month in which a credit has been made, the treasurer shall pay to  
34 the authority, for its purposes as provided herein, the amounts then  
35 credited to the "Transportation Trust Fund Account - Subaccount  
36 for Debt Service for Prior Bonds," "Transportation Trust Fund  
37 Account - Subaccount for Debt Service for Transportation Program  
38 Bonds," and "Transportation Trust Fund Account - Subaccount for  
39 Capital Reserves," provided that the payments to the authority shall  
40 be subject to and dependent upon appropriations being made from  
41 time to time by the Legislature of the amounts thereof for the  
42 purposes of the act, and further provided that the revenues  
43 deposited into the "Transportation Trust Fund Account -  
44 Subaccount for Debt Service for Transportation Program Bonds"  
45 and "Transportation Trust Fund Account - Subaccount for Capital  
46 Reserves" shall consist solely of revenues which are dedicated  
47 pursuant to the New Jersey Constitution, including Article VIII,  
48 Section II, paragraph 4, and subsections a. and d. of this section.

1 In the event that the amount of appropriations and other revenues  
2 made available to the authority are greater than the amount of  
3 appropriations and other revenues needed to meet the statutory  
4 purposes of the authority in a fiscal year, any of those additional  
5 amounts, which are dedicated pursuant to the New Jersey  
6 Constitution, including Article VIII, Section II, paragraph 4, and  
7 subsections a. and d. of this section, may be deposited into the  
8 "Transportation Trust Fund Account - Subaccount for Capital  
9 Reserves." Monies deposited in the "Transportation Trust Fund  
10 Account - Subaccount for Capital Reserves" shall be held in reserve  
11 as a means of ensuring the adequacy of funding to meet the future  
12 statutory needs of the authority, and may be transferred to the other  
13 subaccounts of the "Transportation Trust Fund Account" or to the  
14 "Special Transportation Fund" through appropriation by the  
15 Legislature for any statutory need of the authority.

16 e. For the fiscal year beginning July 1, 2024 and each fiscal  
17 year thereafter, an amount equivalent to the sum of all revenues  
18 derived from the imposition of an additional annual fee collected  
19 upon zero emission vehicles pursuant to section 8 of P.L. ,  
20 c. (C. ) (pending before the Legislature as this bill) shall be  
21 credited to the "Transportation Trust Fund Account - Subaccount  
22 for Capital Reserves" to be used for transportation projects. No  
23 portion of these revenues shall be appropriated to pay debt service  
24 on transportation system bonds, transportation program bonds, or  
25 any other bonds, notes or other obligations, including subordinated  
26 obligations of the authority; provided, however, if such fee  
27 revenues are dedicated pursuant to the New Jersey Constitution,  
28 including Article VIII, Section II, paragraph 4, such fee revenues  
29 may then be deposited into the "Transportation Trust Fund Account  
30 - Subaccount for Debt Service for Transportation Program Bonds"  
31 and used to pay debt service on transportation program bonds and  
32 any agreements issued in connection with such transportation  
33 program bonds.

34 (cf: P.L.2016, c.56, s.3)

35  
36 4. Section 8 of P.L.1987, c.460 (C.27:1B-21.1) is amended to  
37 read as follows:

38 8. a. Commencing with the reports of the commissioner, which  
39 shall include the Transportation Master Plan, Statewide Capital  
40 Investment Strategy, Annual Transportation Capital Program,  
41 Transportation Trust Fund Authority Financial Plan, and Five-Year  
42 Capital Plan, as may be amended, required to be submitted pursuant  
43 to section 22 of P.L.1984, c.73 (C.27:1B-22) on or before March 1,  
44 2006 and on each succeeding March 1 thereafter through March 1,  
45 2015, the annual amount so reported by the commissioner for  
46 proposed projects shall not exceed \$1,600,000,000 exclusive of  
47 federal funds, and beginning with the reports due March 1, 2016,  
48 and on each succeeding March 1 thereafter through March 1, 2023,

1 the amount so reported by the commissioner for proposed projects  
2 shall not exceed an aggregate \$16,600,000,000 over that eight year  
3 period, and beginning with the reports due March 1, 2024, and on  
4 each succeeding March 1 thereafter through March 1, 2028, the  
5 amount so reported by the commissioner for proposed projects shall  
6 not exceed an aggregate \$10,367,000,000 over that five-year period.

7 b. For the fiscal year beginning on July 1, 2006 and for each  
8 fiscal year thereafter through the fiscal year beginning on July 1,  
9 2011, the total annual amount authorized to be appropriated from  
10 the revenues and other nonfederal funds of the New Jersey  
11 Transportation Trust Fund Authority for the projects listed in the  
12 appropriations act pursuant to section 21 of P.L.1984, c.73  
13 (C.27:1B-21) shall not exceed \$1,600,000,000, all amounts  
14 exclusive of federal funds. The total amount authorized to be  
15 appropriated from the revenues and other nonfederal funds of the  
16 New Jersey Transportation Trust Fund Authority for the projects  
17 listed in the appropriations act pursuant to section 21 of P.L.1984,  
18 c.73 (C.27:1B-21) shall not exceed: \$1,247,000,000 for the fiscal  
19 year beginning on July 1, 2012; \$1,224,000,000 for the fiscal year  
20 beginning on July 1, 2013; \$1,225,000,000 for the fiscal year  
21 beginning on July 1, 2014; and \$1,247,000,000 for the fiscal year  
22 beginning on July 1, 2015. The total amount authorized to be  
23 appropriated from the revenues and other nonfederal funds of the  
24 New Jersey Transportation Trust Fund Authority for the projects  
25 listed in the appropriations act pursuant to section 21 of P.L.1984,  
26 c.73 (C.27:1B-21) shall not exceed an aggregate \$16,600,000,000 in  
27 total for the fiscal year beginning on July 1, 2016 through the fiscal  
28 year beginning on July 1, 2023. The total amount authorized to be  
29 appropriated from the revenues and other nonfederal funds of the  
30 New Jersey Transportation Trust Fund Authority for the projects  
31 listed in the appropriations act pursuant to section 21 of P.L.1984,  
32 c.73 (C.27:1B-21) shall not exceed:

33 (1) \$2,000,000,000 for State Fiscal Year 2025;

34 (2) \$2,000,000,000 for State Fiscal Year 2026;

35 (3) \$2,060,000,000 for State Fiscal Year 2027; provided,  
36 however, in addition to any additional set-aside required under  
37 section 25 of P.L.1984, c.73 (C.27:1B-25) for this fiscal year,  
38 \$60,000,000 of the amount authorized pursuant to this subsection  
39 shall be allocated as follows: 25 percent as State aid to counties for  
40 transportation projects pursuant to subsection e. of section 25 of  
41 P.L.1984, c.73 (C.27:1B-25); 25 percent as State aid to  
42 municipalities for transportation projects pursuant to subsection c.  
43 of section 25 of P.L.1984, c.73 (C.27:1B-25); 25 percent for  
44 projects of the Department of Transportation; and 25 percent for  
45 projects of the New Jersey Transit Corporation;

46 (4) \$2,122,000,000 for State Fiscal Year 2028; provided,  
47 however, in addition to any additional set-aside required under  
48 section 25 of P.L.1984, c.73 (C.27:1B-25) for this fiscal year,

1 \$122,000,000 of the amount authorized pursuant to this subsection  
2 shall be allocated as follows: 25 percent as State aid to counties for  
3 transportation projects pursuant to subsection e. of section 25 of  
4 P.L.1984, c.73 (C.27:1B-25); 25 percent as State aid to  
5 municipalities for transportation projects pursuant to subsection c.  
6 of section 25 of P.L.1984, c.73 (C.27:1B-25); 25 percent for  
7 projects of the Department of Transportation; and 25 percent for  
8 projects of the New Jersey Transit Corporation; and

9 (5) \$2,185,000,000 for State Fiscal Year 2029; provided,  
10 however, in addition to any additional set-aside required under  
11 section 25 of P.L.1984, c.73 (C.27:1B-25) for this fiscal year,  
12 \$185,000,000 of the amount authorized pursuant to this subsection  
13 shall be allocated as follows: 25 percent as State aid to counties for  
14 transportation projects pursuant to subsection e. of section 25 of  
15 P.L.1984, c.73 (C.27:1B-25); 25 percent as State aid to  
16 municipalities for transportation projects pursuant to subsection c.  
17 of section 25 of P.L.1984, c.73 (C.27:1B-25); 25 percent for  
18 projects of the Department of Transportation; and 25 percent for  
19 projects of the New Jersey Transit Corporation.

20 c. (Deleted by amendment, P.L.1991, c.40)

21 d. (Deleted by amendment, P.L.1992, c.10)

22 e. The State Auditor shall provide for a unified annual audit of  
23 expenditures from the "Special Transportation Fund," established  
24 by section 21 of P.L.1984, c.73 (C.27:1B-21), in order to determine  
25 that these funds are expended for costs eligible for funding from the  
26 authority and in a manner consistent with appropriations made by  
27 the Legislature. The findings of such audits shall be transmitted to  
28 the presiding officer of each House of the Legislature, and to the  
29 Chair of the Senate Budget and Appropriations Committee, the  
30 Senate Transportation Committee, the Assembly Appropriations  
31 Committee, and the Assembly Transportation and Independent  
32 Authorities Committee or their successors.

33 f. The State Auditor shall review bond issuances of the  
34 authority and report to the Joint Budget Oversight Committee and  
35 to the members of the Senate Budget and Appropriations  
36 Committee and the Assembly Appropriations Committee, or their  
37 successors, on the status of the bonds of the authority and projects  
38 financed from the proceeds of the bonds. The report shall include  
39 the investment status of all unexpended bond proceeds and provide  
40 a description of any bond issues expected during a fiscal year,  
41 including type of issue, estimated amount of bonds to be issued and  
42 the expected month of sale.

43 (cf: P.L.2022, c.38, s.1)

44

45 5. Section 6 of P.L.2006, c.3 (C.27:1B-22.2) is amended to  
46 read as follows:

47 6. There is hereby created in the Executive Branch of the State  
48 Government, a body corporate and politic, with corporate

1 succession, to be known as the Transportation Policy Review  
2 Board. For the purpose of complying with the provisions of Article  
3 V, Section IV, paragraph 1 of the New Jersey Constitution, the  
4 board is hereby allocated within the Department of Transportation,  
5 but, notwithstanding that allocation, the board shall be independent  
6 of any supervision or control by the department or by any body or  
7 officer thereof. The board is hereby constituted as an  
8 instrumentality of the State exercising public and essential  
9 governmental functions, and the exercise by the board of the powers  
10 conferred by this act shall be deemed and held to be an essential  
11 governmental function of the State.

12 The board shall be comprised of nine public members with  
13 experience in transportation finance and policy. The Governor shall  
14 appoint three of the members with the advice and consent of the  
15 Senate, two of whom shall be experts that perform academic  
16 research in the areas of transportation and public transportation  
17 policy, planning, or engineering, and one of whom shall be an  
18 expert in the area of transportation capital finance. The remaining  
19 members shall be appointed by the Governor as follows: two upon  
20 the recommendation of the President of the Senate, one upon the  
21 recommendation of the Minority Leader of the Senate, two upon the  
22 recommendation of the Speaker of the General Assembly, and one  
23 upon the recommendation of the Minority Leader of the General  
24 Assembly. Each member shall have a professional background in  
25 passenger rail service, freight rail management, transportation  
26 capital planning, transportation and public transportation capital  
27 construction, federal transportation policy, State transportation  
28 policy, or transportation capital finance. Each member shall serve  
29 for a four-year term and shall serve until the member's successor is  
30 appointed and qualified; provided, however, that in order to achieve  
31 non-concurrent terms, of the members first appointed pursuant to  
32 this section, two members appointed by the Governor shall serve for  
33 four years; while the three members appointed upon the  
34 recommendations of the President of the Senate and the Minority  
35 Leader of the Senate and the three members appointed upon the  
36 recommendations of the Speaker of the General Assembly and the  
37 Minority Leader of the General Assembly shall serve for three years  
38 each, and the remaining member appointed by the Governor shall  
39 serve for two years; and further provided that any member serving  
40 on the effective date of P.L.2016, c.56 (C.27:1B-22.5 et al.) shall  
41 serve until the expiration of that member's term, notwithstanding  
42 the criteria for appointment established pursuant to P.L.2016, c.56  
43 (C.27:1B-22.5 et al.). The Transportation Policy Review Board  
44 shall be deemed to be constituted immediately upon appointment  
45 and qualification in the manner provided in this section of at least  
46 five members.

47 The purpose of the board is to assure fiscal discipline through  
48 evaluating the financing of transportation; independently analyzing

1 and reporting on the cost effectiveness of spending in the  
2 transportation capital program; conducting and commissioning  
3 research on best practices in the areas of transportation and public  
4 transportation construction, planning, finance, and engineering;  
5 providing policy recommendations to the Legislature on the best  
6 ways to organize the capital program and appropriate capital  
7 program funds; and preparing an annual State of Condition of  
8 Transportation Financing certification.

9 The board shall annually appear before the Senate Budget and  
10 Appropriations Committee, or its successor, and the Assembly  
11 Budget Committee, or its successor, and provide independent  
12 analysis of the transportation capital program, provide comments on  
13 the cost effectiveness of the program, evaluate the condition of the  
14 State transportation system, and identify needed infrastructure  
15 investments. The board shall annually appear before the Senate  
16 Transportation Committee, or its successor, and the Assembly  
17 Transportation and Independent Authorities Committee, or its  
18 successor, and report on best practices and cost savings in areas  
19 related to transportation and public transportation construction,  
20 planning, finance, infrastructure, and governance. The board shall  
21 also make itself available to the aforementioned budget and  
22 transportation committees to conduct research and provide  
23 recommendations on policy issues that those committees request of  
24 the board. The board shall issue an annual report on or before June  
25 1 of each year which summarizes the work of the board for the prior  
26 year, evaluates the reports issued by the department pursuant to  
27 section 22 of P.L.1984, c.73 (C.27:1B-22), and provides  
28 independent recommendations for administering the annual capital  
29 program.

30 The board shall be provided with a budget each year to be funded  
31 through the capital program, and the budget shall be sufficient to  
32 allow the board to commission independent research from academic  
33 and other experts in the area of research to be conducted, to avail  
34 itself of any professional or consultant services necessary to  
35 perform its functions, and to complete the reports and certifications  
36 required pursuant to this section.

37 The board may call to its assistance and avail itself of the  
38 services of the employees of any State, county, or municipal  
39 department, board, bureau, task force, or agency as it may require  
40 and as may be available to it for its purposes, and to employ  
41 stenographic and clerical assistance and incur traveling and other  
42 miscellaneous expenses necessary to perform its duties, within the  
43 limits of funds appropriated or otherwise made available to it for its  
44 purposes.

45 The board shall submit reports to the Governor, and to the  
46 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)  
47 no later than April 1, 2017 concerning the taxation of motor  
48 vehicles that are powered by a fuel source that is not subject to the



1 motor fuels tax pursuant to P.L.2010, c.22 (C.54:39-101 et seq.) or  
2 the petroleum products gross receipts tax pursuant to P.L.1990, c.42  
3 (C.54:15B-1 et seq.), including, but not limited to electric vehicles  
4 and hydrogen fuel cell vehicles. The report required pursuant to this  
5 subsection shall include recommendations to the Legislature for a  
6 new system of taxation that mandates that all vehicles operating on  
7 the highways of this State contribute equitably to the cost of  
8 maintaining the State transportation system.

9 The State of Condition of Transportation Financing certification  
10 shall ensure that the financing and expenditures of the New Jersey  
11 Transportation Trust Fund Authority (the "authority") adhere to  
12 certain standards. The standards are: a. The bonding limitation as  
13 provided in subsection i. of section 9 of P.L.1984, c.73 (C.27:1B-9).  
14 b. For the fiscal year commencing July 1, 2007, the amount  
15 expended from the revenues and other funds of the authority for  
16 permitted maintenance shall not exceed the amount expended for  
17 permitted maintenance in the fiscal year commencing July 1, 2006.  
18 c. The total amount authorized to be appropriated from the revenues  
19 and other funds of the authority for project costs commencing with  
20 the fiscal year beginning July 1, 2007 through the fiscal year  
21 beginning July 1, 2015 shall not exceed \$1,600,000,000 annually,  
22 and for the fiscal year beginning on July 1, 2016 through the fiscal  
23 year beginning on July 1, 2023 shall not exceed an aggregate  
24 \$16,000,000,000 over that eight-year period, and for the fiscal year  
25 beginning on July 1, 2024 through the fiscal year beginning on July  
26 1, 2028 shall not exceed an aggregate \$10,367,000,000 over that  
27 five-year period.

28 Commencing with the fiscal year beginning July 1, 2007, the  
29 board shall submit to the Governor, the Legislature, and the  
30 commissioner on an annual basis the State of Condition of  
31 Transportation Financing certification as to the requirements of  
32 certification standard a. referencing therein a certification with  
33 regard to certification standards b. and c. to the extent feasible,  
34 given the other provisions of this section. The certifications shall be  
35 based on the board's review of the State's fiscal year final  
36 expenditures from the preceding fiscal year, including bonding and  
37 expenditures from the annual independent audit of the authority,  
38 and the amount of authority funds programmed for permitted  
39 maintenance. If the capital program and its financing are found to  
40 be in compliance, the first annual certification required by this  
41 paragraph shall be submitted by February 1, 2008, after the  
42 certification is concurred with by the members of the authority, and  
43 by February 1 of each year thereafter. The board shall advise the  
44 commissioner and the authority on February 1, 2008 and on each  
45 succeeding February 1, if the board finds that the authority is not in  
46 compliance with the bonding requirements as provided in  
47 certification standard a. of the section, and that a corrective action  
48 plan is needed. The authority shall submit a corrective action plan

1 that would reduce its future bond sales to offset the amount of  
2 excess bonding or to reduce future debt service payments, or both,  
3 as the case may be. Upon approval of the corrective action plan by  
4 the board, the certification shall be issued with certain conditions.  
5 The Annual Transportation Capital Program submitted to the  
6 Legislature for the forthcoming year shall be in compliance with the  
7 provisions of the corrective action plan. If the board does not  
8 approve the corrective action plan, the authority shall submit a  
9 financial plan showing bonding only for existing projects, noting  
10 that no bonds shall be issued for new projects shown in the  
11 department's Annual Transportation Capital Program. The board  
12 shall advise the commissioner on February 1, 2008 and on each  
13 succeeding February 1, if the board finds that the Department of  
14 Transportation has exceeded the limitation for the amount of  
15 authority funds spent on permitted maintenance pursuant to  
16 certification standard b. of this section, or for the amount authorized  
17 to be appropriated for project costs pursuant to certification  
18 standard c. of this section and that a corrective action plan is  
19 needed. The department shall submit a corrective action plan that  
20 would offset the excess amount spent, or the excess amount  
21 appropriated, in the prior year with less funding for permitted  
22 maintenance or for projects, as the case may be, in the proposed  
23 capital budget request. Upon approval of the corrective action plan  
24 by the board, a certification as to these matters shall be issued with  
25 certain conditions. The Annual Transportation Capital Program  
26 submitted to the Legislature for the forthcoming year shall be in  
27 compliance with the provisions of the corrective action plan. If the  
28 board does not approve the corrective action plan, the authority  
29 shall submit a financial plan showing bonding only for existing  
30 projects, noting that no bonds shall be issued for new projects  
31 shown in the department's Annual Transportation Capital Program.  
32 (cf: P.L.2016, c.56, s.7)

33

34 6. Section 25 of P.L.1984, c.73 (C.27:1B-25) is amended to  
35 read as follows:

36 25. a. Notwithstanding the provisions of subtitle 4 of Title 27 of  
37 the Revised Statutes and P.L.1946, c.301 (C.27:15A-1 et seq.), the  
38 commissioner may, pursuant to appropriations or authorizations  
39 being made from time to time by the Legislature according to law,  
40 allocate to counties and municipalities funds for the planning,  
41 acquisition, engineering, construction, reconstruction, repair,  
42 resurfacing and rehabilitation of public highways and the planning,  
43 acquisition, engineering, construction, reconstruction, repair,  
44 maintenance and rehabilitation of public transportation projects and  
45 of other transportation projects which a county or municipality may  
46 be authorized by law to undertake.

47 b. The commissioner shall, pursuant to appropriations or  
48 authorizations being made from time to time by the Legislature

1 according to law, allocate at his discretion State aid to counties and  
 2 municipalities for transportation projects, except that the amount to  
 3 be appropriated for this program shall be seven percent of the total  
 4 amount appropriated pursuant to subsection d. of this section. This  
 5 State aid shall be set aside prior to any formula allocations provided  
 6 for in subsections c., d., e., f., and g. of this section, and shall be  
 7 known as the "Local Aid Infrastructure Fund." In the fiscal year  
 8 commencing July 1, 2016, any amount appropriated to the Local  
 9 Aid Infrastructure Fund above \$7,500,000 shall be deposited into  
 10 the State Transportation Infrastructure Bank Fund, established  
 11 pursuant to section 34 of P.L.2016, c.56 (C.58:11B-10.4).

12 c. The commissioner shall, pursuant to appropriations or  
 13 authorizations being made from time to time by the Legislature  
 14 according to law and pursuant to the provisions of subsections b.  
 15 and d. of this section, allocate State aid to municipalities for public  
 16 highways under their jurisdiction. The amount to be appropriated  
 17 shall be allocated on the basis of the following distribution factor:

$$18 \qquad \qquad \qquad \text{Pc} \qquad \qquad \text{Cm}$$

$$19 \qquad \text{DF} = \qquad \frac{\quad}{\text{Ps}} \qquad + \qquad \frac{\quad}{\text{Sm}}$$

$$20 \qquad \qquad \qquad \text{Ps} \qquad \qquad \text{Sm}$$

21 where, DF equals the distribution factor

22 Pc equals county population

23 Ps equals State population

24 Cm equals municipal road mileage within the county

25 Sm equals municipal road mileage within the State.

26 After the amount of aid has been allocated based on the above  
 27 formula, the commissioner shall determine priority for the funding  
 28 of municipal projects within each county, based upon criteria  
 29 relating to volume of traffic, safety considerations, growth  
 30 potential, readiness to obligate funds, and local taxing capacity. In  
 31 addition to the above criteria used in determining priority of  
 32 funding of municipal projects in each county, the commissioner  
 33 shall consider whether a project is intended to remedy hazardous  
 34 conditions as identified for the purposes of providing transportation  
 35 pursuant to N.J.S.18A:39-1.2 for school pupils or to improve  
 36 pedestrian safety.

37 For the purposes of this subsection, (1) "population" means the  
 38 official population count as reported by the New Jersey Department  
 39 of Labor and Workforce Development; and (2) "municipal road  
 40 mileage" means that road mileage under the jurisdiction of  
 41 municipalities, as determined by the department.

42 d. There shall be appropriated at least \$175,000,000 for each  
 43 fiscal year commencing July 1, 2006 through the fiscal year  
 44 commencing July 1, 2015, and \$400,000,000 for each fiscal year  
 45 commencing July 1, 2016 and for each fiscal year thereafter, for the  
 46 purposes provided herein and in subsections b., c., e., f., and g. of  
 47 this section. (1) Of that appropriation, the commissioner shall  
 48 allocate 37.5 percent of the total appropriation as State aid for

1 municipalities pursuant to the provisions of subsection c. of this  
2 section, provided that \$5,000,000 for each fiscal year commencing  
3 July 1, 2006 through the fiscal year commencing July 1, 2015, and  
4 \$10,000,000 for each fiscal year commencing July 1, 2016 and for  
5 each fiscal year thereafter of the amount allocated as State aid for  
6 municipalities shall be set aside and sub-allocated as State aid to  
7 any municipality qualifying for aid pursuant to the provisions of  
8 P.L.1978, c.14 (C.52:27D-178 et seq.). The commissioner shall  
9 allocate the aid to each municipality in the same proportion that the  
10 municipality receives aid under P.L.1978, c.14 (C.52:27D-178 et  
11 seq.). (2) The commissioner shall allocate 37.5 percent of the total  
12 appropriation pursuant to the provisions of subsection e. of this  
13 section for the Local County Aid Program. (3) The commissioner  
14 shall allocate seven percent of the total appropriation pursuant to  
15 the provisions of subsection b. of this section for the "Local Aid  
16 Infrastructure Fund." (4) The commissioner shall allocate seven  
17 percent of the appropriation pursuant to the provisions of subsection  
18 f. of this section for the "Local Freight Impact Fund." (5) The  
19 remaining 11 percent of the appropriation shall be allocated  
20 pursuant to the provisions of subsection g. of this section for the  
21 "Local Bridges Fund."

22 The amount of funds allocated as State aid for counties and  
23 municipalities, pursuant to paragraphs (3), (4), and (5) of subsection  
24 b. of section 8 of P.L.1987, c.460 (C.27:1B-21.1), shall be in  
25 addition to the amount of any appropriation required pursuant to  
26 this subsection and shall not be subject to any formula allocation  
27 provided for in this subsection, and which amounts shall be  
28 allocated as follows:

29 Of the amounts allocated pursuant to paragraph (3) of subsection  
30 b. of section 8 of P.L.1987, c.460 (C.27:1B-21.1) for State Fiscal  
31 Year 2027, \$15,000,000 shall be allocated as State aid to counties  
32 for transportation projects pursuant to subsection e. of this section,  
33 and \$15,000,000 shall be allocated as State aid to municipalities for  
34 transportation projects pursuant to subsection c. of this section;

35 Of the amounts allocated pursuant to paragraph (4) of subsection  
36 b. of section 8 of P.L.1987, c.460 (C.27:1B-21.1) for State Fiscal  
37 Year 2028, \$30,500,000 shall be allocated as State aid to counties  
38 for transportation projects pursuant to subsection e. of this section,  
39 and \$30,500,000 shall be allocated as State aid to municipalities for  
40 transportation projects pursuant to subsection c. of this section; and

41 Of the amounts allocated pursuant to paragraph (5) of subsection  
42 b. of section 8 of P.L.1987, c.460 (C.27:1B-21.1) for State Fiscal  
43 Year 2029, \$46,250,000 shall be allocated as State aid to counties  
44 for transportation projects pursuant to subsection e. of this section,  
45 and \$46,250,000 shall be allocated as State aid to municipalities for  
46 transportation projects pursuant to subsection c. of this section.

47 e. The commissioner may, pursuant to appropriations or  
48 authorizations being made from time to time by the Legislature

1 according to law, allocate additional funding to the Local County  
2 Aid Program for public highway projects, in accordance with a  
3 formula similar to that provided for in subsection c. of this section,  
4 except that Cm equals road mileage under county jurisdiction and  
5 Sm equals total county road mileage within the State.

6 f. The commissioner shall, pursuant to appropriations or  
7 authorizations being made from time to time by the Legislature  
8 according to law, allocate at the commissioner's discretion, State aid  
9 to counties and municipalities for transportation projects that  
10 address the impacts of freight travel in local communities and on  
11 local transportation infrastructure, except that the amount to be  
12 appropriated for this program shall be seven percent of the total  
13 amount appropriated pursuant to subsection d. of this section. This  
14 State aid shall be set aside prior to any formula allocations provided  
15 for in subsections c., d., e., and g. of this section, and shall be  
16 known as the "Local Freight Impact Fund."

17 g. The commissioner shall, pursuant to appropriations or  
18 authorizations being made from time to time by the Legislature  
19 according to law, allocate at the commissioner's discretion, State aid  
20 to counties and municipalities for transportation projects that  
21 address the condition of bridges under the jurisdiction of counties  
22 with an emphasis on repair and reconstruction of those with the  
23 greatest structural deficiencies, except that the amount to be  
24 appropriated for this program shall be 11 percent of the total  
25 amount appropriated pursuant to subsection d. of this section. This  
26 State aid shall be set aside prior to any formula allocations provided  
27 for in subsections c., d., e., and f. of this section, and shall be  
28 known as the "Local Bridges Fund."

29 (cf: P.L.2016, c.56, s.9)

30

31 7. Section 3 of P.L.1990, c.42 (C.54:15B-3) is amended to read  
32 as follows:

33 3. a. (1) (a) There is imposed on each company which is  
34 engaged in the refining or distribution, or both, of petroleum  
35 products other than highway fuel and aviation fuel and which  
36 distributes such products in this State a tax at the rate of seven  
37 percent of its gross receipts derived from the first sale of petroleum  
38 products within this State and there is imposed on each company  
39 which is engaged in the refining or distribution, or both, of highway  
40 fuel a tax at the rate of 12.85 percent, as adjusted pursuant to  
41 **subsection** subsections c. and d. of this section, of its gross  
42 receipts derived from the first sale of those products within this  
43 State.

44 (b) The applicable tax rate for gasoline, blended fuel that  
45 contains gasoline or is intended for use as gasoline, and liquefied  
46 petroleum gas, which are taxed as a highway fuel pursuant to  
47 subparagraph (a) of this paragraph, shall be converted to a cents-  
48 per-gallon rate, rounded to the nearest tenth of a cent, and adjusted

1 quarterly by the director, effective on July 1, October 1, January 1,  
2 and April 1, based on the average retail price per gallon of unleaded  
3 regular gasoline in the State, as determined in the most recent  
4 survey of the retail price per gallon of gasoline that includes a  
5 Statewide representative random sample conducted by the Board of  
6 Public Utilities, Office of the Economist, or its successor.

7 (c) The cents-per-gallon rate determined pursuant to  
8 subparagraph (b) of this paragraph shall not be less than the rate  
9 determined for the average retail price per gallon of unleaded  
10 gasoline in the State on July 1, 2016.

11 (d) The applicable tax rate for diesel fuel, blended fuel that  
12 contains diesel fuel or is intended for use as diesel fuel, and  
13 kerosene, other than aviation grade kerosene, which are taxed as a  
14 highway fuel pursuant to subparagraph (a) of this paragraph, shall  
15 be converted to a cents-per-gallon rate, rounded to the nearest tenth  
16 of a cent, and adjusted quarterly by the director, effective on July 1,  
17 October 1, January 1, and April 1, based on the average retail price  
18 per gallon of number 2 diesel in the State, as determined in the most  
19 recent survey of retail diesel fuel prices that includes a Statewide  
20 representative random sample conducted by the Board of Public  
21 Utilities, Office of the Economist, or its successor.

22 Notwithstanding the provisions of subparagraph (a) of this  
23 paragraph to the contrary, for the period from the 2016  
24 implementation date through December 31, 2016, no rate of tax  
25 shall be applied to diesel fuel, blended fuel that contains diesel fuel  
26 or is intended for use as diesel fuel, or kerosene, other than aviation  
27 grade kerosene; for the period from January 1, 2017 through June  
28 30, 2017, the applicable rate for those fuels shall be 70 percent of  
29 the rate otherwise determined pursuant to subparagraph (a) of this  
30 paragraph, and for July 1, 2017 and thereafter the applicable rate for  
31 those fuels determined pursuant to subparagraph (a) of this  
32 paragraph.

33 (e) The cents-per-gallon rate determined pursuant to  
34 subparagraph (d) of this paragraph shall not be less than the rate  
35 determined for the average retail price per gallon of number 2 diesel  
36 in the State on July 1, 2016.

37 (f) The applicable tax rate for fuel oil determined pursuant to  
38 subparagraph (a) of this paragraph shall be converted to a cents-per-  
39 gallon rate, rounded to the nearest tenth of a cent, and adjusted  
40 quarterly by the director, effective on July 1, October 1, January 1,  
41 and April 1, to reflect the average price per gallon, without State or  
42 federal tax included, of retail sales of number 2 fuel oil in the State,  
43 as determined in the most recent survey of retail diesel fuel prices  
44 that included a Statewide representative random sample conducted  
45 by the Board of Public Utilities, Office of the Economist, or its  
46 successor.

47 (g) The cents-per-gallon rate determined pursuant to  
48 subparagraph (f) of this paragraph shall not be less than the rate

1 determined for the average price per gallon, without State or federal  
2 tax included, of retail sales of number 2 fuel oil in the State on July  
3 1, 2016.

4 (h) **【**On and after the 10th day following a certification by the  
5 review council pursuant to subsection c. of section 19 of P.L.2016,  
6 c.57 (C.52:18A-257), no tax shall be imposed pursuant to this  
7 paragraph.**】** (Deleted by amendment, P.L. , c. ) (pending before  
8 the Legislature as this bill)

9 (2) (a) In addition to the tax, if any, imposed by paragraph (1)  
10 of this subsection, a cents-per-gallon tax is imposed on each  
11 company's gross receipts derived from the first sale of petroleum  
12 products within this State on gasoline, blended fuel that contains  
13 gasoline or that is intended for use as gasoline, liquefied petroleum  
14 gas, and aviation fuel at the rate of four cents per gallon; and

15 (b) In addition to the tax, if any, imposed by paragraph (1) of  
16 this subsection, a cents-per-gallon tax is imposed on each  
17 company's gross receipts derived from the first sale of petroleum  
18 products within this State on diesel fuel, blended fuel that contains  
19 diesel fuel or is intended for use as diesel fuel, and kerosene, other  
20 than aviation grade kerosene, at the rate of four cents per gallon  
21 before July 1, 2017 and at the rate of eight cents per gallon on and  
22 after July 1, 2017.

23 b. There is imposed on each company that imports or causes to  
24 be imported, other than by a company subject to and having paid  
25 the tax on those imported petroleum products that have generated  
26 gross receipts taxable under subsection a. of this section, petroleum  
27 products for use or consumption by it within this State a tax at the  
28 rate or rates, determined pursuant to subsection a. of this section, on  
29 the consideration given or contracted to be given and the gallonage  
30 for such petroleum products if the consideration given or contracted  
31 to be given for all such deliveries made during a quarterly period  
32 exceeds \$5,000.

33 c. (1) For State fiscal years 2018 through **【2026】** 2024, the rate  
34 of tax imposed on highway fuel pursuant to subsection a. of this  
35 section shall be adjusted annually so that the total revenue derived  
36 from highway fuel shall not exceed the highway fuel cap amount.

37 (2) The State Treasurer shall, on or before December 31, 2016,  
38 determine the highway fuel cap amount as the sum of:

39 (a) the taxes collected for State Fiscal Year 2016 pursuant to  
40 paragraphs (1) and (2) of subsection a. of section 3 of P.L.2010,  
41 c.22 (C.54:39-103) on highway fuel,

42 (b) the amount derived from taxing the gallonage of highway  
43 fuel subject to motor fuel tax in State Fiscal Year 2016 at the rate of  
44 four cents per gallon, and

45 (c) the amount that would have been derived from taxing the  
46 gallonage of highway fuel subject to motor fuel tax in State Fiscal  
47 Year 2016 at the rate of 23 cents per gallon.

1 (3) On or before August 15 of each State Fiscal Year following  
2 State Fiscal Year 2017 through State Fiscal Year 2024, and on or  
3 before November 15 of each State Fiscal Year beginning in State  
4 Fiscal Year 2025, the State Treasurer and the Legislative Budget  
5 and Finance Officer shall determine the total revenue derived from:

6 (a) the taxes collected for the prior State Fiscal Year pursuant to  
7 paragraphs (1) and (2) of subsection a. of section 3 of P.L.2010,  
8 c.22 (C.54:39-103) on highway fuel,

9 (b) the revenue that would be derived from imposing the tax  
10 pursuant to paragraph (2) of subsection a. of this section on  
11 highway fuel at the rate of four cents per gallon, and

12 (c) the revenue derived from the taxation of highway fuel  
13 pursuant to paragraph (1) of subsection a. of this section.

14 (4) **【Upon】** Commencing in State Fiscal Year 2017 and ending  
15 in State Fiscal Year 2024, upon consideration of the result of the  
16 determination pursuant to paragraph (3) of this subsection, and  
17 consultation with the Legislative Budget and Finance Officer, the  
18 State Treasurer shall determine the rate of tax to be imposed on  
19 highway fuel pursuant to subsection a. of this section that will result  
20 in revenue from:

21 (a) the taxes collected on highway fuel for the current State  
22 Fiscal Year pursuant to paragraphs (1) and (2) of subsection a. of  
23 section 3 of P.L.2010, c.22 (C.54:39-103),

24 (b) the revenue derived from the tax imposed pursuant to  
25 paragraph (2) of subsection a. of this section on highway fuel at the  
26 rate of four cents per gallon for the current State Fiscal Year, and

27 (c) the revenue derived from the taxation of highway fuel  
28 pursuant to paragraph (1) of subsection a. of this section equaling  
29 the highway fuel cap amount determined pursuant to paragraph (2)  
30 of this subsection, as adjusted pursuant to paragraph (5) of this  
31 subsection; and that rate shall take effect on October 1 of that year.

32 (5) **【If】** Commencing in State Fiscal Year 2017 and ending in  
33 State Fiscal Year 2024, if the actual revenue determined pursuant to  
34 paragraph (3) of this subsection exceeds the highway fuel cap  
35 amount determined pursuant to paragraph (2) of this subsection,  
36 then the highway fuel cap amount for the succeeding year shall be  
37 decreased by the amount of the excess in setting the rate pursuant to  
38 paragraph (4) of this subsection. If the actual revenue determined  
39 pursuant to paragraph (3) of this subsection is less than the highway  
40 fuel cap amount determined pursuant to paragraph (2) of this  
41 subsection, then the highway fuel cap amount for the succeeding  
42 year shall be increased by the amount of the shortfall in setting the  
43 rate pursuant to paragraph (4) of this subsection.

44 d. (1) For State fiscal years 2025 through 2029, the rate of tax  
45 imposed on highway fuel pursuant to subsection a. of this section  
46 shall be adjusted annually so that the total revenue derived from  
47 highway fuel shall not exceed the highway fuel cap amount  
48 determined pursuant to paragraph (2) of this subsection.



1       (2) The highway fuel cap amount in effect for State fiscal years  
2 2025 through 2029 shall be adjusted so that the total revenue  
3 derived from highway fuel shall equal:

- 4       (a) for State Fiscal Year 2025, \$2,032,000,000;  
5       (b) for State Fiscal Year 2026, \$2,115,000,000;  
6       (c) for State Fiscal Year 2027, \$2,199,000,000;  
7       (d) for State Fiscal Year 2028, \$2,282,000,000; and  
8       (e) for State Fiscal Year 2029, \$2,366,000,000.

9       (3) Commencing in State Fiscal Year 2025, upon consideration  
10 of the result of the determination pursuant to paragraph (3) of  
11 subsection c. of this section, and consultation with the Legislative  
12 Budget and Finance Officer, the State Treasurer shall determine the  
13 rate of tax to be imposed on highway fuel pursuant to subsection a.  
14 of this section that will result in revenue from:

15       (a) the taxes collected on highway fuel for the current State  
16 Fiscal Year pursuant to paragraphs (1) and (2) of subsection a. of  
17 section 3 of P.L.2010, c.22 (C.54:39-103),

18       (b) the revenue derived from the tax imposed pursuant to  
19 paragraph (2) of subsection a. of this section on highway fuel at the  
20 rate of four cents per gallon for the current State Fiscal Year, and

21       (c) the revenue derived from the taxation of highway fuel  
22 pursuant to paragraph (1) of subsection a. of this section equaling  
23 the highway fuel cap amount determined pursuant to paragraph (2)  
24 of this subsection, as adjusted pursuant to paragraph (4) of this  
25 subsection; and that rate shall take effect on January 1 of that year.

26       (4) Commencing in State Fiscal Year 2025, if the actual revenue  
27 determined pursuant to paragraph (3) of subsection c. of this section  
28 is less than the highway fuel cap amount determined pursuant to  
29 paragraph (2) of this subsection, then the highway fuel cap amount  
30 determined pursuant to paragraph (2) of this subsection for the  
31 succeeding year shall be increased by the amount of the shortfall in  
32 setting the rate pursuant to paragraph (3) of this subsection. If the  
33 actual revenue determined pursuant to paragraph (3) of subsection  
34 c. of this section exceeds the highway fuel cap amount determined  
35 pursuant to paragraph (2) of this subsection, then the highway fuel  
36 cap amount for the succeeding year shall be decreased by the  
37 amount of the excess in setting the rate pursuant to paragraph (3) of  
38 this subsection.

39 (cf: P.L.2016, c.57, s.14)

40

41       8. (New section) a. In addition to the registration fees imposed  
42 pursuant to Article 2 of chapter 3 of Title 39 of the Revised  
43 Statutes:

44       (1) beginning July 1, 2024 and ending June 30, 2025, the Chief  
45 Administrator of the Motor Vehicle Commission shall impose and  
46 collect an additional annual fee of \$250 upon every zero emission  
47 vehicle to be registered;

1 (2) beginning July 1, 2025 and ending June 30, 2026, the Chief  
2 Administrator of the Motor Vehicle Commission shall impose and  
3 collect an additional annual fee of \$260 upon every zero emission  
4 vehicle to be registered;

5 (3) beginning July 1, 2026 and ending June 30, 2027, the Chief  
6 Administrator of the Motor Vehicle Commission shall impose and  
7 collect an additional annual fee of \$270 upon every zero emission  
8 vehicle to be registered;

9 (4) beginning July 1, 2027 and ending June 30, 2028, the Chief  
10 Administrator of the Motor Vehicle Commission shall impose and  
11 collect an additional annual fee of \$280 upon every zero emission  
12 vehicle to be registered; and

13 (5) beginning July 1, 2028, and for each year thereafter, the  
14 Chief Administrator of the Motor Vehicle Commission shall impose  
15 and collect an additional annual fee of \$290 upon every zero  
16 emission vehicle to be registered.

17 b. The fee established pursuant to subsection a. of this section  
18 shall accrue and shall be collectible upon each zero emission  
19 vehicle under the same circumstances and shall be payable in the  
20 same manner and times as apply to vehicle registrations under the  
21 provisions of Article 2 of chapter 3 of Title 39 of the Revised  
22 Statutes; provided, the fee shall be paid in full for the then current  
23 year at the time any zero emission vehicle is first registered in a  
24 calendar year.

25 c. Fees collected pursuant to subsection a. of this section shall  
26 be credited to the "Transportation Trust Fund Account," established  
27 pursuant to section 20 of P.L.1984, c.73 (C.27:1B-20), in  
28 accordance with the provisions of subsection e. of section 20 of  
29 P.L.1984, c.73 (C.27:1B-20).

30 d. As used in this section, "zero emission vehicle" means a  
31 vehicle certified as a zero emission vehicle pursuant to the  
32 California Air Resources Board zero emission vehicle standards for  
33 the applicable model year, but shall not include any other type of  
34 vehicle that may be delivered by a manufacturer for sale or lease to  
35 satisfy the zero emission vehicle requirement established by the  
36 California Air Resources Board in lieu of a vehicle that qualifies as  
37 a pure zero emission vehicle.

38

39 9. Section 19 of P.L.2016, c.57 (C.52:18A-257) is repealed.

40

41 10. This act shall take effect immediately.

42

43

44

#### STATEMENT

45

46 This bill amends the "New Jersey Transportation Trust Fund  
47 Authority Act of 1984" to make changes necessary to support the  
48 State's Annual Transportation Capital Program for Fiscal Years

1 2025 through 2029. These changes also revise the rate of tax  
2 imposed on highway fuels under the Petroleum Products Gross  
3 Receipts Tax and establish an additional annual fee for zero  
4 emission vehicles from which all revenues would be dedicated to  
5 the Transportation Trust Fund (TTF).

6

7 *Transportation Trust Fund Authority Renewal*

8 The bill extends and increases the New Jersey Transportation  
9 Trust Fund Authority's (authority) existing authorization to issue  
10 transportation program bonds. Under current law, the authority is  
11 authorized to issue such transportation program bonds as are  
12 necessary to fund the Annual Transportation Capital Program, in an  
13 amount not to exceed \$12 billion, through June 30, 2024. The bill  
14 extends this authorization through June 30, 2029 and increases the  
15 authority's existing aggregate bonding capacity to \$15.6 billion.

16 The bill authorizes \$10.367 billion in capital program  
17 expenditures for a five-year period from Fiscal Year 2025 through  
18 Fiscal Year 2029. Specifically, this bill allows for an average  
19 annual capital program size of \$2 billion from Fiscal Year 2025  
20 through Fiscal Year 2029. However, during Fiscal Years 2027,  
21 2028, and 2029, the bill requires certain amounts appropriated in  
22 excess of \$2 billion to be allocated to counties, municipalities, the  
23 Department of Transportation, and the New Jersey Transit  
24 Corporation for transportation projects.

25 Under current law, the authority is required to count premiums,  
26 and not bond discounts, against its authorized bonding capacity for  
27 transportation program bonds. This bill provides that for Fiscal  
28 Year 2016 and thereafter, any net premiums received by the  
29 authority in connection with the issuance of transportation program  
30 bonds are to be counted against the authority's authorized bonding  
31 capacity. This change allows the authority to account for the value  
32 of remaining bond premiums after subtracting the value of bond  
33 discounts in blended bond issuances when adjusting its bonding  
34 capacity after issuing transportation program bonds.

35

36 *Revision to Rate-Setting Procedure for Determining PPGRT Rate*

37 Under current law, the rate of tax imposed under the Petroleum  
38 Products Gross Receipts Tax (PPGRT) is annually adjusted by the  
39 State Treasurer to ensure that the State realizes a statutorily  
40 prescribed revenue target, more commonly referred to as the  
41 "highway fuel cap," based on 2016 collections of highway fuel  
42 taxes. The cap amount is based on the Fiscal Year 2016 sum of:  
43 (1) the taxes collected on the 12.48 percent and four cent tax rates  
44 for highway fuels taxes, (2) the amount derived from taxing the  
45 gallonage of highway fuel subject to the four cent motor fuel tax,  
46 and (3) the amount that would have been derived from taxing the  
47 gallonage of highway fuel subject to the motor fuel tax at a rate of  
48 23 cents per gallon. All revenues collected are deposited into the

1 TTF to support transportation infrastructure projects and debt  
2 service on transportation bonds. This annual adjustment  
3 mechanism is currently set to expire at the conclusion of State  
4 Fiscal Year 2026.

5 The bill would modify this mechanism, beginning with Fiscal  
6 Year 2025, to gradually raise the highway fuel cap amount through  
7 Fiscal Year 2029. The amount of revenue required to be collected  
8 on highway fuel would be as follows: \$2,032,000,000 in Fiscal  
9 Year 2025; \$2,115,000,000 in Fiscal Year 2026; \$2,199,000,000 in  
10 Fiscal Year 2027; \$2,282,000,000 in Fiscal year 2028; and  
11 \$2,366,000,000 in Fiscal Year 2029. If the actual revenues  
12 generated fall above or below the highway fuel cap amount set for  
13 the fiscal year, the rate of tax would be adjusted accordingly to  
14 ensure the highway fuel cap amount is realized.

15 The bill also provides that after the State Treasurer has  
16 determined the rate of tax pursuant to the bill, the new rate would  
17 take effect on January 1 of Fiscal Year 2025 through Fiscal Year  
18 2029 rather than October 1, as is done under current law.

19

20 *Abolishment of the Review Council*

21 The bill would also abolish the three-member review council  
22 tasked with monitoring the implementation of the PPGRT. The  
23 review council is currently composed of the State Treasurer, the  
24 Legislative Budget and Finance Officer, and a public member  
25 jointly selected by the other two members. Under current law,  
26 following any legislative action that halts, delays, or reverses  
27 implementation of changes to the PPGRT as enacted in 2016, the  
28 review council is required to certify whether the scheduled  
29 implementation of the 2016 changes to the tax have been impeded.

30

31 *Additional Fee for Zero Emission Vehicles*

32 The bill also institutes an additional fee for zero emission  
33 vehicles registered in the State. The fee would be collected by the  
34 Chief Administrator of the Motor Vehicle Commission at the same  
35 time the vehicle is initially registered or renewed, as the case may  
36 be. Beginning on July 1, 2024, the amount of the fee would be  
37 \$250 and increase by \$10 on July 1 of each year until 2028. After  
38 that time, the amount of the fee would be set at \$290.

39 A “zero emission vehicle” is defined under the bill as a vehicle  
40 certified by the California Air Resources Board or a vehicle that  
41 satisfies zero emission vehicle standards for the applicable model  
42 year. Vehicles that are produced in lieu of satisfying zero emission  
43 vehicle requirements would not be subject to the additional fee.

44 These additional fees would be credited to the “Transportation  
45 Trust Fund Account - Subaccount for Capital Reserves” to support  
46 transportation projects. However, the bill specifies that these  
47 collections may not be used to pay debt service on transportation  
48 system bonds, transportation program bonds, or any other bonds,

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29

- 1 notes or other obligations, including subordinated obligations of the
- 2 authority until such time as these revenues may be constitutionally
- 3 dedicated to the TTF.