

ASSEMBLY, No. 6202

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STATE OF NEW JERSEY

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221st LEGISLATURE

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INTRODUCED DECEMBER 8, 2025

**Sponsored by:**  
**Assemblyman JOE DANIELSEN**  
**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Revises statutory definition of certain waterfront workers.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning waterfront workers and amending P.L.2017,  
2    c.324.

3

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

6

7    1. Section 3 of P.L.2017, c.324 (C.53:2-8) is amended to read  
8    as follows:

9       3. As used in P.L.2017, c.324 (C.32:23-229 et al.):

10      "Career offender" means a person whose behavior is pursued in  
11     an occupational manner or context for the purpose of economic  
12     gain, utilizing methods that are deemed criminal violations against  
13     the laws of this State.

14      "Career offender cartel" means a number of career offenders  
15     acting in concert, and may include what is commonly referred to as  
16     an organized crime group.

17      "Carrier" means a carrier as that term is defined in 49 U.S.C.  
18     s.13102.

19      "Carrier of freight by water" means any person who may be  
20     engaged or who may hold himself or herself out as willing to be  
21     engaged, whether as a common carrier, a contract carrier, or  
22     otherwise, except for carriage of liquid cargoes in bulk in tank  
23     vessels designed for use exclusively in that service or carriage by  
24     barge of bulk cargoes consisting of only a single commodity loaded  
25     or carried without wrappers or containers and delivered by the  
26     carrier without transportation mark or count, in the carriage of  
27     freight by water between any point in the port of New York district,  
28     as applicable only within the State of New Jersey, and a point  
29     outside that district.

30      "Checker" means a longshoreman who is employed to engage in  
31     direct and immediate checking of waterborne freight or of the  
32     custodial accounting therefor or in the recording or tabulation of the  
33     hours worked at piers or other waterfront terminals by natural  
34     persons employed by carriers of freight by water or stevedores.

35      "Commission" means the waterfront commission of New York  
36     harbor established by the State of New Jersey pursuant to P.L.1953,  
37     c.202 (C.32:23-1 et seq.) and by the State of New York pursuant to  
38     its agreement thereto under P.L.1953, c.882 (NY Unconsol. Ch.307,  
39     s.1).

40      "Common carrier" means a common carrier as that term is  
41     defined in 46 U.S.C. s.40102.

42      "Compact" means the compact entered into by the State of New  
43     Jersey pursuant to its agreement thereto under P.L.1953, c.202  
44     (C.32:23-1 et seq.) and by the State of New York pursuant to its  
45     agreement thereto under P.L.1953, c.882 (NY Unconsol. Ch.307,  
46     s.1), as amended and supplemented.

**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        "Consignee" means the person designated on a bill of lading as  
2        the recipient of waterborne freight consigned for carriage by water.

3        "Container" means any receptacle, box, carton, or crate which is  
4        specifically designed and constructed so that it may be repeatedly  
5        used for the carriage of freight by a carrier of freight by water.

6        "Contract carrier" means a contract carrier as that term is defined  
7        in 49 U.S.C. s.13102.

8        "Director" means, in the context of licensure as a stevedore, a  
9        natural person elected or appointed to the board of directors that  
10        oversees or manages a stevedoring enterprise.

11        "Division" means the Division of State Police in the Department  
12        of Law and Public Safety.

13        "Freight" means freight which has been or will be, carried by, or  
14        consigned for carriage by a carrier of freight by water.

15        "Hiring agent" means any natural person who, on behalf of a  
16        carrier of freight by water 【or】, a stevedore, 【shall】 or other  
17        employer of longshoremen, is authorized under law to designate or  
18        select any longshoreman for employment】, and "hiring agent"  
19        includes any natural person, who on behalf of any other person shall  
20        select any longshoreman for employment】.

21        "Immunity" means that a person shall not be prosecuted or  
22        subjected to any penalty or forfeiture for or on account of any  
23        transaction, matter, or thing concerning which, pursuant to an order  
24        of the division, the person gave answer or produced evidence, and  
25        that no answer given or evidence produced shall be received against  
26        the person upon any criminal proceeding.

27        "Labor organization" means and includes any organization which  
28        exists and is constituted for the purpose in whole or in part of  
29        collective bargaining, or of dealing with employers concerning  
30        grievances, terms and conditions of employment, or other mutual  
31        aid or protection, but "labor organization" shall not include a  
32        federation or congress of labor organizations organized on a  
33        national or international basis even though one of its constituent  
34        labor organizations may represent persons so registered or licensed.

35        "Longshoreman" means a natural person, other than a hiring  
36        agent, who is employed for work at a pier or other waterfront  
37        terminal, either by a carrier of freight by water or by a stevedore, to:  
38        a. physically move waterborne freight on vessels berthed at piers,  
39        on piers or at other waterfront terminals; b. engage in direct and  
40        immediate checking of any such freight or of the custodial  
41        accounting therefor or in the recording or tabulation of the hours  
42        worked at piers or other waterfront terminals by natural persons  
43        employed by carriers of freight by water or stevedores; c. supervise  
44        directly and immediately others who are employed as a  
45        longshoreman; d. physically to perform labor or services incidental  
46        to the movement of waterborne freight on vessels berthed at piers,  
47        on piers or at other waterfront terminals; e. physically move  
48        waterborne freight to or from a barge, lighter, or railroad car for  
49        transfer to or from a vessel of a carrier of freight by water which is,

1 shall be, or shall have been berthed at the same pier or other  
2 waterfront terminal; or f. perform labor or services involving, or  
3 incidental to, the movement of freight at a pier or other waterfront  
4 terminal.

5 "Longshoremen's register" means the register of eligible  
6 longshoremen compiled and maintained by the division pursuant to  
7 section 8 of P.L.2017, c.324 (C.53:2-13).

8 "Marine terminal" means an area which includes piers, which is  
9 used primarily for the moving, warehousing, distributing, or  
10 packing of waterborne freight or freight to or from piers and which  
11 is under common ownership or control with the pier.

12 "Officer" means, in the context of licensure as a stevedore, an  
13 officer or managing executive of a stevedore or a corporate  
14 stevedore who controls or participates in the operating management  
15 of a stevedoring enterprise.

16 "Other waterfront terminal" means any warehouse, depot, or  
17 other terminal, other than a pier, which is located within a marine  
18 terminal in the port of New York district and which is used for  
19 waterborne freight in whole or substantial part, and includes any  
20 warehouse, depot, or other terminal, other than a pier, whether  
21 enclosed or open, which is located in a marine terminal in the port  
22 of New York district, any part of which is used by any person to  
23 perform labor or services involving, or incidental to, the movement  
24 of waterborne freight or freight.

25 "Owner" means, in the context of licensure as a stevedore, a  
26 person, including but not limited to a partnership, joint venture,  
27 association, corporation, limited liability company, or any other  
28 legal entity, that beneficially owns or holds an ownership interest in  
29 a stevedoring enterprise.

30 "Partner" means an owner of an interest in a partnership, in  
31 whatever manner that owner and ownership interest are designated.

32 "Person" means not only a natural person but also any  
33 partnership, joint venture, association, corporation, or any other  
34 legal entity but shall not include the United States, any state or  
35 territory thereof, or any department, division, board, authority, or  
36 authority of one or more of the foregoing.

37 "Pier" means any wharf, pier, dock, or quay in regular use for the  
38 movement of waterborne freight between vessel and shore.

39 "Pier superintendent" means any natural person other than a  
40 longshoreman who is employed for work at a pier or other  
41 waterfront terminal by a carrier of freight by water or a stevedore  
42 and whose work at the pier or other waterfront terminal includes the  
43 supervision, directly or indirectly, of the work of longshoremen.

44 "Port of New York district" or "district" means the district  
45 created by Article II of the compact dated April 30, 1921, between  
46 the states of New York and New Jersey, authorized by chapter 154  
47 of the laws of New York of 1921 and chapter 151 of the laws of  
48 New Jersey of 1921.

1        "Port watchman" means any watchman, gateman, roundsman,  
2 detective, guard, guardian, or protector of property employed by the  
3 operator of any pier or other waterfront terminal or by a carrier of  
4 freight by water to perform services in that capacity on any pier or  
5 other waterfront terminal.

6        "Select any longshoreman for employment" means select a  
7 person for the commencement or continuation of employment as a  
8 longshoreman, or the denial or termination of employment as a  
9 longshoreman.

10        "Stevedore" or in the case of a corporate entity other than a  
11 natural person "corporate stevedore," means a contractor, not  
12 including an employee, engaged for compensation pursuant to a  
13 contract or arrangement with a carrier of freight by water, in  
14 moving waterborne freight carried or consigned for carriage by the  
15 carrier on vessels of the carrier berthed at piers, on piers at which  
16 the vessels are berthed or at other waterfront terminals.  
17 **["Stevedore"]** These terms shall also include:

18        a. a contractor engaged for compensation pursuant to a contract  
19 or arrangement with the United States, any state or territory thereof,  
20 or any department, division, board, commission, or authority of one  
21 or more of the foregoing, in moving freight carried or consigned for  
22 carriage between any point in the port of New York district and a  
23 point outside that district on vessels of the public agency berthed at  
24 piers, on piers at which their vessels are berthed or at other  
25 waterfront terminals;

26        b. a contractor, engaged for compensation pursuant to a  
27 contract or arrangement with any person to perform labor or  
28 services incidental to the movement of waterborne freight on  
29 vessels berthed at piers, on piers or at other waterfront terminals; or

30        c. a contractor engaged for compensation pursuant to a contract  
31 or arrangement with any other person to perform labor or services  
32 involving, or incidental to, the movement of freight into or out of  
33 containers, which have been or which will be carried by a carrier of  
34 freight by water, on vessels berthed at piers, on piers or at other  
35 waterfront terminals.

36        "State Treasurer" means the Treasurer of the State of New  
37 Jersey.

38        "Telecommunications system controller" means a natural person  
39 employed by the New York Shipping Association, Inc. and the  
40 International Longshoremen's Association, or by a joint board of  
41 those two entities, who participates in the operation of the Shipping  
42 Association of New York and New Jersey's Enterprise Management  
43 System (EMS).

44        "Terrorist group" means a group associated, affiliated, or funded  
45 in whole or in part by a terrorist organization designated by the  
46 United States Secretary of State in accordance with section 219 of  
47 the federal Immigration and Nationality Act, as amended from time  
48 to time, or any other organization which assists, funds, or engages

1 in crimes or acts of terrorism as defined in the laws of the United  
2 States, or of this State.

3 "Transfer date" means the 90th day following the notification by  
4 the Governor pursuant to section 2 of P.L.2017, c.324 (C.32:23-  
5 230).

6 "Waterborne freight" means freight carried by or consigned for  
7 carriage by carriers of freight by water, and shall also include  
8 freight described in the definition of "stevedore" and in the  
9 definition of "other waterfront terminal." Provided, however, that  
10 at the point at which the freight is released from a pier or marine  
11 terminal to the possession of the consignee or the person designated  
12 by the consignee, the freight shall no longer be considered  
13 waterborne freight if:

- 14 a. the freight is not further transported by water; and
- 15 b. services involving or incidental to the unloading, storage,  
16 inspection, grading, repackaging, or processing of freight occur at a  
17 location outside a pier or marine terminal.

18 "Witness" means any person whose testimony is desired in any  
19 investigation, interview, or other proceeding conducted by the  
20 division under the authority granted pursuant to P.L.2017, c.324  
21 (C.32:23-229 et al.).

22 (cf: P.L.2017, c.324, s.3)

23

24 2. Section 5 of P.L.2017, c.324 (C.53:2-10) is amended to read  
25 as follows:

26 5. In addition to the powers and duties elsewhere prescribed in  
27 law, the division shall have the power:

28 a. To determine the location, size, and suitability of  
29 accommodations necessary and desirable for the establishment and  
30 maintenance of the employment information centers provided in  
31 section 16 of P.L.2017, c.324 (C.53:2-21) and for administrative  
32 offices for the division;

33 b. To administer and enforce the provisions of P.L.2017, c.324  
34 (C.32:23-229 et al.);

35 c. Consistent with the provisions of the "Administrative  
36 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to adopt and  
37 enforce rules and regulations as the division may deem necessary to  
38 effectuate the purposes of P.L.2017, c.324 (C.32:23-229 et al.) or to  
39 prevent the circumvention or evasion thereof;

40 d. By its members and its properly designated officers, agents,  
41 and employees, with respect to the implementation and enforcement  
42 of P.L.2017, c.324 (C.32:23-229 et al.), to administer oaths and  
43 issue subpoenas to compel the attendance of witnesses and the  
44 giving of testimony and the production of other evidence;

45 e. To have for its properly designated officers, agents and  
46 employees, full and free access, ingress, and egress to and from all  
47 vessels, piers, and other waterfront terminals or other places in the  
48 port of New York district within this State, for the purposes of  
49 making inspection or enforcing the provisions of P.L.2017, c.324  
50 (C.32:23-229 et al.); and no person shall obstruct or in any way

1 interfere with any officer, employee, or agent of the division in the  
2 making of an inspection, or in the enforcement of the provisions of  
3 P.L.2017, c.324 (C.32:23-229 et al.) or in the performance of any  
4 other power or duty under P.L.2017, c.324 (C.32:23-229 et al.);

5 f. To recover possession of any suspended or revoked license  
6 issued pursuant to sections 6, 7, and 13 of P.L.2017, c.324 (C.53:2-  
7 11, C.53:2-12, and C.53:2-18) within the port of New York district  
8 in this State;

9 g. To make investigations and collect and compile information  
10 concerning waterfront practices generally within the port of New  
11 York district in this State and upon all matters relating to the  
12 accomplishment of the objectives of P.L.2017, c.324 (C.32:23-229  
13 et al.);

14 h. To advise and consult with representatives of labor and  
15 industry and with public officials and agencies concerned with the  
16 effectuation of the purposes of P.L.2017, c.324 (C.32:23-229 et al.),  
17 upon all matters which the division may desire, including but not  
18 limited to, the form and substance of rules and regulations, the  
19 administration of the provisions of P.L.2017, c.324 (C.32:23-229 et  
20 al.), maintenance of the longshoremen's register, and issuance and  
21 revocation of licenses;

22 i. To make annual and other reports to the Governor and,  
23 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the  
24 Legislature containing recommendations for the improvement of the  
25 conditions of waterfront labor within the port of New York district  
26 in this State and for the effectuation of the purposes of P.L.2017,  
27 c.324 (C.32:23-229 et al.). The annual reports shall state the  
28 division's findings and determinations as to whether the public  
29 necessity still exists for: (1) the continued registration of  
30 longshoremen; (2) the continued licensing of any occupation or  
31 employment required to be licensed hereunder; and (3) the  
32 continued public operation of the employment information centers  
33 provided for in section 16 of P.L.2017, c.324 (C.53:2-21);

34 j. To co-operate with and receive from any department,  
35 division, bureau, board, commission, authority, or agency of this  
36 State, or of any county or municipality thereof, any assistance and  
37 data as will enable the division to properly to carry out its powers  
38 and duties hereunder; and to request a department, division, bureau,  
39 board, commission, authority, or agency, with the consent thereof,  
40 to execute the division's functions and powers, as the public interest  
41 may require; **【and】**

42 k. To exercise the powers and duties of the division as  
43 provided in P.L.2017, c.324 (C.32:23-229 et al.) to its officers,  
44 employees, and agents designated by the division;

45 l. To issue temporary permits and permit temporary  
46 registrations under such terms and conditions as the division may  
47 prescribe which shall be valid for a period to be fixed by the  
48 division not in excess of six months;

1       m. To require any applicant for a license or registration or any  
2 prospective licensee to furnish facts and evidence as the division  
3 may deem appropriate to enable it to ascertain whether the license  
4 or registration should be granted;

5       n. In any case in which the division has the power to revoke,  
6 cancel or suspend any license, the division shall also have the  
7 power to impose as an alternative to that revocation, cancellation, or  
8 suspension, a penalty, which the licensee may elect to pay the  
9 division in lieu of the revocation, cancellation, or suspension. The  
10 maximum penalty shall be \$5,000 for each separate offense. The  
11 division may, for good cause shown, abate all or part of the penalty;

12       o. To designate any officer, agent, or employee of the division  
13 to be an investigator who shall be vested with all the powers of a  
14 peace or police officer of the State of New Jersey;

15       p. To confer immunity, in the following manner prescribed by  
16 section 20 of P.L.2017, c.324 (C.53:2-25);

17       q. To require any applicant or renewal applicant for registration  
18 as a longshoreman, any applicant or renewal applicant for  
19 registration as a checker, or any applicant or renewal applicant for  
20 registration as a telecommunications system controller and any  
21 person who is sponsored for a license as a pier superintendent or  
22 hiring agent, any person who is an individual owner of an applicant  
23 or renewal applicant stevedore, or any persons who are individual  
24 partners of an applicant or renewal applicant stevedore, or any  
25 officers, directors, or stockholders owning five percent or more of  
26 any of the stock of an applicant or renewal applicant corporate  
27 stevedore or any applicant or renewal applicant for a license as a  
28 port watchman **【or any other category of applicant or renewal**  
29 **applicant for registration or licensing within the division's**  
30 **jurisdiction】** to be fingerprinted by the division at the cost and  
31 expense of the applicant or renewal applicant;

32       r. To exchange fingerprint data with and receive criminal  
33 history record information from the Federal Bureau of Investigation  
34 and the State Bureau of Identification for use in making the  
35 determinations required by this section; and

36       s. Notwithstanding any other provision of law, rule, or  
37 regulation to the contrary, to require any applicant for employment  
38 or employee of the division engaged in the implementation or  
39 enforcement of P.L.2017, c.324 (C.32:23-229 et al.) to be  
40 fingerprinted at the cost and expense of the applicant or employee  
41 and to exchange fingerprint data with and receive criminal history  
42 record information from the Federal Bureau of Investigation and the  
43 State Bureau of Identification for use in the hiring or retention of  
44 those persons.

45       (cf: P.L.2017, c.324, s.5)

46

47       3. This act shall take effect immediately.

1 STATEMENT

2

3 This bill revises the statutory definition of certain waterfront  
4 workers consistent with the requirements of federal P.L.92-544.

5 Under federal P.L.92-544, the Federal Bureau of Investigation  
6 (FBI) is authorized to exchange criminal history record information  
7 with officials of State and local governments only if authorized by  
8 state statute and approved by the Attorney General of the United  
9 States. The FBI, with the assistance of the United States  
10 Department of Justice, has determined that federal P.L.92-544  
11 requires that state statutes meet certain criteria, which include,  
12 among other things, that the statute specifically identify the  
13 category of persons required to be fingerprinted for purposes of  
14 obtaining criminal history record information.

15 Accordingly, to retain access to the FBI Criminal Justice  
16 Information Service, the bill revises certain statutory definitions to  
17 more specifically identify the category of persons required to be  
18 fingerprinted.