

Memo

To: Paul Pogorzelski, Administrator/Engineer

From: Chief Meyer

Date: September 30, 2009

Re: Traffic Enforcement Questions

Regarding the use of electronically activated cameras for identifying violators of traffic signals and speed laws, the use of such devices in New Jersey is overseen by several state agencies including the New Jersey Department of Transportation, The New Jersey Office of Highway Traffic Safety and the New Jersey Attorney General's Office. Additionally state statutes govern the use of many traffic control devices.

Presently photographic red light enforcement devices are only permitted to be used in a few towns where there is an on-going pilot program testing and evaluating the devices. Beyond this pilot program the use of photographic devices for traffic signal enforcement is prohibited.

Photographic radar enforcement devices are used in many states however, the State of New Jersey has never permitted the use of photo radar. I am not aware of any current plans to allow these devices to be used.

Weigh in motion (WIM) devices are utilized in many locations throughout New Jersey by the Department of Transportation (NJDOT). Locally there is one on State Highway 31 just north of Hopewell Township. There are also WIMs on Interstate 95 in Ewing and Lawrence Townships.

Weigh in motion devices are utilized by the NJDOT to gather statistical information regarding vehicles using the roadways. The devices count vehicles, count axles, and weigh the vehicles. They can then generate reports on the number, type and size of vehicles using the highways. The local sites are not used for enforcement purposes for overweight vehicles.

Due to the understandable level of inaccuracy with WIM devices they are not used for enforcement purposes. The weight readings that they provide are not acceptable in court.

While WIM devices are excellent statistics gathering tools, they alone are not a good option for overweight vehicle enforcement. Most WIM devices are not portable, the sensors must be installed in the roadway pavement, and the recording devices must be permanently located near the site at the side of the road. Because of this WIMs are costly to install. To utilize a WIM site for enforcement action the site would need to be equipped with a wireless device to transfer the real time data to a nearby police car so that the offending vehicle could be immediately identified and stopped. In order to take enforcement action (traffic summons) the offending vehicle would then need to be weighed on certified scales.

In New Jersey, by state statute, only the state police are authorized to weigh vehicles. This means that a WIM site on a local road would still require the participation of a state trooper with scales and a proper location to weigh the vehicle in order for a ticket to be issued.

Not to confuse the issue but, local police can enforce weight restriction laws, such a "no truck route" or "4 ton limit". If an officer can determine that the vehicle fits the ordinance definition of a truck or the gross vehicle weight is above the posted limit, and the vehicle is not on the road to make a local delivery (a delivery on that road or an adjacent road), a summons can be issued by a local office without the need for the state police to weigh the vehicle.

Please let me know if you need anything further on this subject.